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The Irish Priests in The Penal Times

(1660—1760).

FROM THE STATE PAPERS IN H.M. RECORD OFFICES, DUBLIN AND LONDON, THE BODLEIAN LIBRARY, AND THE BRITISH MUSEUM,

BY

REV. WILLIAM P. BURKE.

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CORRIGENDA.

Page 113, line 17, for 'put up' *read* 'pent up.'
,, 119, ,, 21, ,, 'bigotted' *read* 'bigoted.'
,, 206, ,, 29, ,, 'nistakes' *read* 'mistakes.'
,, 207, ,, 5, ,, 'detatched' *read* 'detached.'

INTRODUCTION.

THE Irish penal code has long occupied an evil pre-eminence among the similar codes of Europe. Though its worst enactments may be parallelled if not exceeded in the decrees of Louis XIV. against the Huguenots or the Sweedish legislation against the Jesuits yet in its symmetric completeness, its multiplicity of cruel detail, it stands apart and alone. In other countries penal laws were passed against minorities. They were the scalpel as it were, for the excision of something alien from the body politic. In Ireland they may be likened to poison injected into and diffused through every current of the national life. Their purpose was not to benefit the country as a whole, but to pauperise, degrade, and enfeeble it.

The code itself has often been analysed from the days of Burke down, while its effects have been admirably summarised by Lecky (*a*). Its actual working has never been described. Volumes, it is true, have been written on the subject but instead of investigating the facts, the writers have copied one another's assertions or devoted themselves to eloquent declamation. On the one hand we read of the Church of Ireland passing through "an ordeal of persecution unparalleled in the history of mankind"(*b*). of "unexampled sufferings during three centuries of persecution and penal laws" (*c*). Authorities on the other side would fain represent that the penal laws rarely found their way outside the statute book, that they were mere reserves of power, political expedients used by government in times of special danger, as when threatened by foreign invasion or Jacobite plots. Even Lecky shared in part this view. He was of opinion that the persecution could never have been really stringent since it was met by the passive resistance of the great body of the nation (*d*). Between these extremes it is possible to determine where the truth lies only by a careful study

(*a*) Burke, Tracts on the Penal Laws. Lecky, History of Ireland in the Eighteenth Century, Chapter I.
(*b*) Brennan, Ecclesiastical History of Ireland, Preface.
(*c*) Moran, Persecution of the Irish Catholics, Preface.
(*d*) History of Ireland II., p. 266.

of all the evidence available. In the case of the laws disabling Catholics from holding property this evidence is singularly full and complete, but not so in regard to the laws against the priests with which this volume deals. For the crown books at assizes and quarter sessions, bill books, presentments, informations, gaol returns have almost all disappeared, and the operation of this section of the code can be learnt only incidentally and on occasions. Hence the documents which are here printed, are to be read not so much for what they contain as what they suggest; they are convergent rather than conclusive. Two facts, however, they establish beyond question. In the first place it is clear from the Council books and the correspondence of the Lords Lieutenant and Lords Justices that government spared no effort to enforce the law. There were instructions to justices of assize, mandates to sheriffs and inferior magistrates, requisitions to the military, rewards and encouragement to informers—in short the whole executive machinery was put in motion to harass and if possible exterminate the Catholic priesthood. The second fact of which there is abundant evidence is that the local authorities, for the most part, actively co-operated. It might be supposed that country gentlemen would be unwilling to take part in the work of persecution. They lived mostly on their estates; their tenantry and servants were Catholics; they had every reason to cultivate good relations with their neighbours, yet the slightest research into the vast collection of "Country Letters" in the Irish Record Office discovers everywhere the spirit of which the penal code was but the legal embodiment. The Puritan settlers in truth needed no spur from the executive. They had a rancour and a bigotry entirely their own. Upon this point we have some decisive information. The Grand Jury presentment book for the County Limerick for part of Queen Anne's and the whole of George the First's reign is still preserved—the only record of its class extant. It shows that regularly every assizes from 1711 to 1726 when it ends, there were proceedings against priests. In that period the executive only once (in 1714) appealed to the Limerick magistrates to enforce the law. Again take Clare and Galway where if in any part of Ireland, the popery laws might be supposed impossible of execution, yet from no other counties are there as full

particulars of priest hunting. So far indeed from tempering the code, it would appear that the local authorities often gave it a special force and edge in the execution. Viewing therefore the evidence as a whole there can be little doubt as to the character and extent of the warfare carried on against the clergy. But even if all official documents had perished, if its statutes had disappeared with the Irish Parliament itself, the history of these evil times might still be read upon the face of the land. The "Mass Rock," the "Old Altar," the "Priests' Hollow," the "Chapel of the Horn" (*e*), and many a similar name in every district in the country are witnesses more abiding than parchments to a proscribed religion and a hunted priesthood. The thoughtful student will find perhaps still higher testimony to the fire of persecution in the weld and fusion it effected between priests and people.

The following papers are derived mainly from two sources, the Carte manuscripts in the Bodleian, Oxford, and the State Paper department of the Irish Record Office. The former furnished most of those for the seventeenth century, the latter for the eighteenth. As there is no printed calendar of the Carte collection only a limited use could be made of that great repertory. Two volumes of the proceedings of the Irish Privy Council have however supplied much information. The papers in the Record Office will be found under the headings "Civil Correspondence," "Presentments and Petitions to Lords Lieutenant and Lords Justices," "Miscellaneous Papers," "Church Miscellaneous," "Departmental Correspondence," "Parliamentary Returns," "Southwell Papers," "Crown and Peace Records." A few documents have been obtained from Marsh's Library and some from the Essex Papers in the British Museum. It has been thought well to reprint a few others that have appeared in the Historical Manuscripts Reports and elsewhere. With the exception of these latter, the contents of this volume will be altogether new to students (*f*).

(*e*) Place Names of the Decies, Power.

(*f*) Since the above was written a series of papers has appeared in the *Irish Ecclesiastical Record* from Rev. Reginald Walsh, O.P., entitled "Glimpses of the Penal Times." Some seven or eight documents in Chapters III. and V. have been printed in his studies, and in several cases the lives of persecuted regulars have been traced with a minuteness and accuracy of research beyond all praise.

CHAPTER I.

REIGN OF CHARLES II.

THE attitude of government towards the Catholic Church in Ireland during the reign of Charles II. varied according to the party in the ascendant and the exigencies of English politics. Thus there was complete toleration in the vice-royalty of Lord Berkeley, 1670-2, whilst on the other hand a fierce persecution raged during the period of Lord Essex, part of Ormond's first term of office and nearly the whole of his second. Puritan and Royalist both agreed in principle but while the one aimed at destroying Catholicism by suppressing public worship and exterminating the priests, the other hoped to obtain the same result by promoting dissension, setting seculars and regulars at variance, banishing the more independent of the clergy and paralysing the church generally. The two policies often ran together but it will be more convenient to consider them apart.

Though Charles was restored in 1660 the Cromwellian regime in Ireland continued. Except that Ormond and a few royalists filled the executive and that the episcopalian church was re-established there were few changes. Coote, Broghill, Clotworthy, and Montgomery, the most active spirits under the Commonwealth, became peers and took high office. The soldiers and adventurers remained in possession of the land; the new settlers were undisturbed in the towns; parliament was exclusively puritan; the magistracy in great part so. Hence the persecution of the Catholic clergy unless at rare intervals, was carried on almost as actively as before, and it was still hoped to realize the ideal of Pym that not a priest should be left in Ireland.

During the Commonwealth there was a parliamentary union of the two countries and the laws of England were held to be of force in Ireland. Accordingly priests found in the kingdom

incurred under the English Act, 27 Eliz., c. 2, the penalties of high treason and might be put to death, and many in fact were. But now things having reverted to their former state there was no summary method of dealing with priests as such. To remedy this the Commons in April, 1663, transmitted to the English Council the heads of a bill subjecting Ireland to the entire English penal code. Through Catholic influence in the Council, the proposal was rejected and henceforward during the reign of Charles the procedure was to charge the priests with treasonable conspiracy or with offences against the old statutes of *premunire.*

The government correspondence therefore is filled with stories of popish plots. A letter "dropped out of his mass-book" by Father James Dermot of Meath, urged his correspondent to keep his horses and arms for the time of doing good was at hand. Edward Farrell, parish priest of Clonbrony, did inform James Grant that on the night of 24th December, 1663, there was a plot to cut off all the Protestants and if they did miss the aforesaid night they were to perform it ere long. A "ship-load of priests—about fifty" arriving in the West in June, 1663, confirmed Ormond's suspicions as to treasonable designs with Spain. Colonel McCaffrey deposed that representatives from different provinces met in a wood in Fermanagh to consult of a general rising against the Protestants. From the South, Orrery wrote that the Irish do much talk of the French and do rely on them. From the North, Lord Conway reported that the priests and friars and Irish gentry of Ulster had of late (July 1664) private meetings frequently in every county, signed a declaration and were arming themselves. The Catholic primate, Edmund O'Reilly, was presumably head of the conspiracy. Some of the informations sworn against him may therefore be given at length.

I.

THE EXAMINACON OF HUGHE O'RELIE OF AGHOLEIN IN THE COUNTY OF CAVAN, GENTLEMAN.

Who saith that hee did often resort to the duelling house of Doctor Owin Mac Swine the papish titular bishop of Killmore on the mountain of Slewnerin to visit a kinsman of his named John Relie who is secretarie or clerk to the said titular bishop.

That about the 24 day of June last the said John Relie at this Examinat's house at Agholein told this Examinat for a truthe that Edmund ORelie the popish titular Archbishop of Armagh sent lettres to the said popish titular bishop of Killmore whereby he signifyed that hee the said titular Archbishop was redy to come over into Ireland and (by the assistance of the King of Spaine and the pope) to bring with him into Ireland 15,000 men and that Phillip mac Hughe mac Shane Counelly O'Relye was to come from Flanders with the said titular archbishop and to bring with him 10,000 men more at or before Michaelmas next and that it was to bee done by contract and conditions made betwixt them and Lieut Generall Edmund Ludloe who (as the said John Rely tould this Examinat) hath undertaken a restoration to the popish clergie of all the spiritualities and temporalities and to the said Phillip mac Hugh of all his lands, and this Examinat saith that hee hath of late observed the popish clergie of Ulster to meete in great multitudes in remote places by night and by day on that designe as this Examinat conceivth.

21 July 1663.

II.

Hugh O'Relie of Aghellyn, gentleman, adged 30 odd yeares or thereabouts deposed that on the 28 day of June last past Antonie Doghertie guardian of the ffriers in the countie of Tiroun, John mac Phillip mac Shane Bradie, Thomas M^{c} Karnan, Terlagh O'Gowan, Thomas Murphie and other ffranciscan friers to the number of 15 assembled together at Ballebeath in the baronie of Creemourne to contrive a way for the sending of John mac Phillip mac Shane Bradie a ffranciscan frier into Spaine or Rome to Edmund Garratt Reelie there primate in order to a deseign of leavying a warr Here in Ireland. They are raising of considerable sums of money in many counties of this kingdom being encouraged thereunto by the friers who have Indulgences for seaven yeares sent unto them by the Pope. He is creadiblie informed that they have alreadie in banke above 2500 li which is kept in the hands of Neale O'Gowen guardian of the friers in the convent of Carrickmermadderie. He further deposeth that Primate Reelie hath appoynted fower clergie men one fer each province in Ireland to be his correspondents, counsellors, intelligencers and advisers. The said Neale O'Gowan was appoynted for the province of Ulster which was told to this Examinat by the said Neal they both being together drinking of a bottle of aqua vitae under a hill neare to Virginia. This Examinat goeing to speeke to his kinsman John O'Relie secretarie to Doctor Owen mac Swine titulare of Killmore in order of further discoveries found that the said John was sent poste by the said bishop with severall packetts of lettres to the ports of Ireland.

Last of all he deposeth that Primate Reelie a few days before his departure out of this kingdom, in the house of Connor Reelie vttered thes enseuinge words, viz, that he hoped the King shall not rule or raindge long and for his own parte there was noe livinge for him here in Ireland for long as Ormond had any power heare.

13 August 1663.

III.

Intelligence concerning the titular primate, 28 May 1663.

Meeting with ffitz Symons last night who lately came out of the North where he left Prymatt Rely on whome he is to waite in or about Birr about the 15th of the next where the primate hath a meeteing with the Arch Bishop of Cassell, the Bishop of Meath and severall others and sayes that he knowes noe generall meeting any of their church has if nott with the seuerall bishops in their seuerall dioses.

IV.

27 Feby 1664-5.

Meeting yesterday with Dromgould who tould me he was sent for hither by Demsy to participate of instructions com by the last post from the Prymatt which are (as he tells me) requiring the said Demsy to picke out such persons that he thinckes fitt of the cleargie and to send two at least in each circuit in this kingdom where they may with most conveniency meet with the gentry of each County and to incurrage them to stick to their severall ingagements and if they should think the tyme too long for executing their designe that it is for to make their cause the surer and likewise to give direction to every parish priest to exhort their parishoners at their easter confessions to that purpose and enioyn every of them to an oath of seacresy.

A note of such clergymen as are chosen for the severall circuits of Ireland.

Monster
Burgett ffaling Connell and Barry.
Coniahgt
Bourk Rourck Brodin and ffrench.
Oulster
Rely Sall Nugent and Dohertie.
Leinster
Dempsey Dromgould Wesly and Plunckett.

V.

Bryan Rely of Dromory in the barony of Lullaghgarvie deposed that Major Owen McDonel Grome Brady tould this Examinant that the titular Primate Edmund Rely would procure aydes and did advise them to begin the rebellion before the aydes should come that they themselves might have the credit and repute

of it and that the said Primate himself and the Earl of Tyrone, Colonel Brian Roe O'Neill, Colonel Philip McHugh ORely and others would come along with the said expected aydes from France and the said Primate had soe farr laboured in the matter as hee had prevailed with the Pope to excommunicate all persons of the Irish that are in France or Spaine or elsewhere beyond the seas that would not join in that designe. All those who joyned in this conspiracie weare to beginn to putt it in execution on the 11 day of this present June at night and that if they were redy the words agreed on weare Deus Omnipotens and that the words agreed on to signify their not being redy weare Vale Domine. The said titular Primate had from beyond seas written a letter to Dr. Daly to send Fr. Peter Walsh a ffranciscan friar a 100 pounds and that 3 score pounds thereof were sent to him accordingly, to the end that by the said Peter Walsh's meanes they might have intelligence of the Lord Lieutenant's proceedings.

June 17 1666.

It is scarcely necessary to say there was not a particle of truth in these informations. Neal O'Gowan was arrested by Sir Patrick Hamilton on a warrant dated 17th August, 1663, and in careful search no treasure could be found. Hugh Kelly, Lady Iveagh's chaplain, author of the supposed Declaration was subsequently captured but there was no corroboration of the story. As for the Primate himself, all this period he was reported to be engaged in international intrigue, he was subsisting on the alms of French and Belgian bishops. But the informations and intelligences fulfilled their purpose. They cast upon the entire church the shadow of treason. All priests were constructive rebels and any assembly of the people for mass was conspiracy. The Lords Justices wrote to Secretary Nicholas, 12th December, 1660:

The popish priests appear here boldly and in large numbers, and though this is more penal in England than in Ireland yet as these men have always been incendiaries here we think it wise to secure them and prevent them from saying mass and preaching. We have therefore given order to secure them. Priests who, when out on bail, think themselves entitled to continue preaching we have ordered to be committed as they reflect scandal upon the King's government.

To carry out these orders was not always an easy task. Captain Sharples for instance wrote from Belturbet 19th October.

Hearing of a convening of the Irish in the parish of Killeven and not positively knowing the place of the convention our party

being divided five of them happened on the place where they were all met at mass and seeing the priest in vestments seized upon him. As they wanted force by reason of the rest not coming in, the priest was rescued by the multitude, their arms taken from the soldiers and they ill-treated and beaten with stones and clubs. Upon the return of the party we sent out another which brought in some men but the soldiers cannot positively swear to them. They can however swear that the priest was one who was formerly taken by some of Major Moore's troop and let out by Captain Foster, High Sheriff of Monaghan upon bond not to officiate again as priest.

Several Proclamations were issued. In one dated 12th November, 1662, it is stated that these unlawful assemblies were still held in contempt of His Majesty's authority "popish masses being said even close to Dublin and popish jurisdiction attempted to be introduced," wherefore all judges, justices of peace, mayors and sub-sheriffs were to take prompt action to prevent such assemblies and punish offenders. A few examples of the proceedings may be given.

Cossen Sancky.

There are two priests by name James fitz Garrald and Carue Carroll which doe dayly frequent this town and the parts adjacent and have of late at noone day said Masse in the middle of the towne severall times and are not content with that but goe about from house to house seduceing the people and with draweing them from the protestant Religion as I am able to make good against fitz Garrald. Nowe soe it is that on Sunday last I knoweing wheare they weare mett went with six men more in my company and found the said fitz Garrald at his devotion with a bout 500 more, and apprehending of him (though he was four times rescued from us) yett at last I brought him away and have taken security for his appearance on Saturday next before me to answer what shall be obiected against him in his Maiesties behalfe. Nowe the cause that I did this is because I can nott get any of these proclamations heere that weare put forth by my Lord Lieut which doth direct people in my case what to do with such men when they are taken therefore pray direct me what I am to doe and if you see cause acquaint my brother Sir John Stephens with it and advise whether it may not be convenient to acquaint my Lord Deputie, truly if I doe earr as it is of Ignorance not of willfullnesse. Your answer heere vnto I pray let me have by the post in hast

I rest your Lo vncle

St. Johns 10 March 1662. WM. WELDON.

The Humble Petition of James Tully sheweth,

That your Petitioner on 26th of December last was taken for a priest in this Citty [Dublin] and comitted to the Marshallsy where he still continues prisoner to his greate damadge haveing noe manner of subsistence nor anie way to relieve himself. That your Grace may be pleased to give order for your Petitioner's enlardgment uppon baile or prescribe for him present subsistance whereby he may not perish in the Marshallsy.

[Ordered] Petition to be considered at next Council meeting, 3 Aug 1663.

The humble Petition of Garrett Forstall and Thomas Herford poore priests &c.

That your poore petitioners are close prisoners att Kilkenny this halfe a yeare past, being fyned the last assizes past for a supposed unlawfull assembly att Callen on the 17th of March. And for that your distressed petitioners are very infirm in their health and soe poore as they are in noe way able to pay the said fynes imposed on them May it please your Grace to commiserate their condicon, they being alwaies deemed heretofor faithfull and loyall to his Maiestie.

[Ordered] To be referred to next Council, 14 August 1663.

The humble peticon of Anthony Stafford etc.

Sheweth that your petitioner lyeth imprisoned in Wexford upon an information given in to Baron Povey late Justice of Assize for Leinster that he was one of those who met at an unlawful assembly whereas that meeting was noe other than the assembly of a few persons that were convened to pray to God for his Maiesties long and happy raigne over his dominions and his prosperous successe against his enemies. Yet your poore supliant who is an impotent person and while he was able sided allwayes in the late troubles with those who stuck to his Maiesties interest and while at liberty did procure some charity for the support of his aged mother, by the rule of court is fined in twenty marke and to finde bonds for his appearance at the next general Assizes to be held for this county. May it please etc.

[Ordered] To apply himselfe to the Comrs for the reducement of fines. 29 April, 1665.

JOHN WALSH TO ORMOND, 17 JULY 1667.

I doe fynd that on the 24th of June last there was a meeting uppon the land of Keppagh in the Barony of Clanwilliam of above 1000 persons, men, women and children att the first masse of one John English a young priest. The principal persons there were Theobald Butler of Bansigh, Edmund Butler late of Wooden town, John Butler late of Poulkery, Thomas Butler of Keppagh

and David Gibbon of Killeelacheir all living within the same parish with divers others, whereof many espetially the principal gentlemen and their wiues dyned there. They say that att that meeting there were four English protestants whereof one Jones of Teperary. As to a meeting by a wood syde near fethard I can by noe meanes fynd that there was any such if not ment of those who comes to their parish priest every Sunday and other holy dayes.

LORD CONWAY TO OSSORY, 2 JULY, 1664.

The Popish clergy are much alarmed by the apprehension of those priests in the County Cavan and we believe this poore kingdom will never be at quiett till they be all removed out of it.

Besides the charge of treason-felony the priests were held responsible for the outlawed Irish gentlemen who under the name of Tories carried on guerilla warfare against the Cromwellian planters. Ormond complained to Lord Kingston, President of Connaught, 8th January, 1667, of "the extreme boldness and insolence of the Tories" against whom he had taken various measures. "Yet now for a further means having reason to believe that the Popish clergy of the parts infested by them do rather animate and encourage them than admonish them to the performance of their duty and loyalty to his Maiesty, we require your Lordship forthwith to arrest all the popish titular clergy of the parts infested by the Tories and commit them to prison." Kingston doubtless carried out his instructions for the Council Books show that similar methods were adopted in other parts of the country.

TO COLONEL VERE CROMWELL, DEPUTY GOVERNOR OF DOWNE, 16 JUNE 1668.

We received your letter of the 10th instant concerning the apprehending severall of the popish priests and fryers in your County, who are now prisoners in Downpatrick. We learn that those priests and fryers are less criminous in that particular (in respect of encouraging Tories) than popish priests and fryers in other counties. We require you to take orders that those priests and fryers as well those whom you did apprehend as those who uppon sumons came in (excepting Owen McConnell who came late out of Flanders and landed at Killbeggs the 8th of May last) be inlardged from their prison. As for the said Owen McConnell you are to cause him to be examined when he left this kingdom and went into foreign parts, what the occasions were of his return, whether himself or any other had any commission from the

Pope or any other person, whether he brought letters into this kingdom and to whom and return said examinacon to the Lord Deputie.

OSSORY TO THE EARL OF DONEGAL, 19 JUNE 1668.

Concerning your apprehending of severall popish priests and friars in the county of Antrim and now prisoners in the gaole of Carrickfergus, each priest and frier is to enter into bond in the sum of £100 to appear before the Lord Lieutenant and Council within ten days, and to be then enlardged.

It will be observed that occasionally orders were issued to release priests from gaol on their giving bail not to act contrary to the laws. These orders though issued by the highest authority were not always carried out. For instance a proclamation was made in 1661 that the priests in the several prisons throughout Ireland should be released on these terms, yet among the Treasury warrants of that year and the following are found such items as:—

Oliver Walsh Marshal of the City of Dublin for monies by him disbursed to two popish priests committed to his custody, at 6*d.* per diem for each of them for 797 days by warrant dated 14 of March 1662, ... £19 18 6.

John Dalway Mayor of Carrickfergus to be by him issued to three popish priests now prisoners at Carrickfergus at 6*d.* per diem to each of them towards their relief, 6 August 1661 £10 0 0.

Captain Charles Twig for monies by him disbursed for the relief of the popish priests prisoners in Galway 4 October 1661, £10.

And so on.

How little in truth royal proclamations availed to prevent persecution may be judged from the following petition presented to the King in 1662.

To the Kings most excellent Maiestie.

The humble petition of the Romish Cleargiemen now prisoners in the seueral Provinces of Ireland.

Humbly sheweth That notwithstanding your Maiesties happy restitution and your unparalleled clemency, mercy and those great acts of Grace and indempnity to all the people of your severall kingdomes of what profession or iudgment soever either as to faith or to Government or of what party or interest soeuer in the warres, your Maiesties poor subiectes the Catholic Cleargie of the Roman Communion in your kingdom of Ireland groane alwaies vnder a most vigorous persecution continued even to this daye euer since your Maiesties returne and with as greate rigour as of any time heretofore. Houses searched for them

continually by guards of souldiers and when they are taken, dragged to prison euen out of their bedds of sicknesse euen poore aged decrepit men and even those of that cleargie who have on all occasions both att home in their own country and abroade in their exile constantly manifested in their carriadge very loyall hearts and very great affections and even a passionate zeale for your Maiesties interest and service and who have vppon that account (and for haveing therefore declared their conscience against the Lord Nuncio and against his party in the fatal differences of Ireland) suffered since very much vnkindnesse from some of their owne communion or of their own brethren.

That your petitioners are about three score in the severall provinces and prisons of Ireland and that in some places they are denyed since your Maiesties restoration the poore allowance of foure pence a daye which the State formerly did allow and give them for necessary sustinance, many of your petitioners having been these many yeares in prison and some ever since the Parliament forced that kingdome in the yeare 50.

May it therefore please your Sacred Maiestie to looke on your most humble petitioners and to looke on them with such indulgent regard as either to think or make them worthy your Princely compassion and to lett the loyal affections and great sufferings of some of them for you, over ballance those fore past weaknesses or failings of others (whom yet affliction hath since corrected) that they all may bee through your Maiesties mercifull goodnesse and by your gracious command sett at libertie, and they all will ever continue their vowes and prayers to God for your Maiesties happy and long raigne over your people in this earthly Empire of great Brittaine till you exchange itt for that which is prepared for you aboue the starres.

So that the body of priests who on 3rd February, 1662, made the "remonstrance" or demonstration of loyalty to Charles, scarcely exaggerated the facts.

Our dispersion into many foreign countries and the grievous persecution of the remainders at home; some and even these by dozens and scores and for many years many of them confined in the several public gaols, marshalseas and prisons in this kingdom. and not a few now of late to close restraint and new additions daily made, others flitting and roaming to hide themselves in mountains, woods, bogs, rocks, in caves and horrid wildernesses and searched for day and night yea hunted like wild beasts.

But harassed as the priests were from without a still more dangerous campaign was carried on within their own body. At the Restoration Edmond O'Reilly, the primate, Anthony Geoghegan

bishop of Meath and some others thought well to join in an address of congratulation to the King. Peter Walsh, a Franciscan, who was well known to Charles and had followed the court in exile was selected as the medium. But the bishops little reckoned with their man. For an address or "remonstrance" was presented in which instead of mere congratulation and loyalty, the clergy of Ireland were made to say that they were obliged to obey the King under pain of sin in all civil affairs "notwithstanding any power or pretention of the pope or see of Rome or any sentence of what kind soever given or to be given by the pope his predecessors or successors or by any authority spiritual or temporal derived from his see." In truth "the procurator of the Irish clergy"—as he styled himself—was in the pay of government and this address was but the first move in a well matured plan to raise the vexed question of temporals and spirituals and split the Irish church into warring factions. The fact has been long suspected but the Carte Papers put it beyond question.

ORMOND TO SECRETARY BENNETT 5 FEBY 1663-4.

I was glad that such a test as that of a declaration subscribed at London by many of the clergy and laity was sett on foote which was the most proper way to distinguish betwixt them [the Romish clergie] and since it is most probable that one tyme or other his Matie will find it necessary to lessen the prodigious number of that clergie that dayly flock hither and are ordained heere I doe conceive that those who will not subscribe to that declaration (which noe understanding good subject will refuse) are fitted for a sharp proceeding to be held with them, by which meanes if it be seasonably taken in hand connivance and favour may be afforded to those that shall subscribe with more safety to the Government and with lesse scandall to the Protestants.

Peter Walsh the principal instrument received the fixed salary of £100 a year from Ormond, a sum which would be equivalent to eight times that amount at present (*a*). Besides this he received for a considerable period the further sum of £200 yearly to subsidise as would appear, his supporters.

(*a*) "I forgot to tell you that P. Walsh would call to you for £50 which I had ordered my Controller to putt into your Grace's hands for him, being unwilling to lett others know he was a pensioner"—Ormond to Lord Chancellor Boyle, 19th August, 1667.

Monies received att severall times since May 1662 from my Lord Duke of Ormond by Father Peter Walsh to this present August 1666.

Att several times and by several summes the sayd year 1662 receaved by me	£300
In the year '63	£300
In the year '64	£320
In thI year '65 by severall summes	£105
In all	£1025

PETER WALSH.

The service which Walsh was prepared to give his masters was ample. His proposals briefly were :—

1. The superiors of the Roman Catholic clergy to be licensed by the King. No others to exercise "any jurisdiction or superiority (even purely spiritual I meane) over any of his subiectes by virtue of any commission received from any community or superior beyond seas." Any clergy obeying persons not so licensed to be proceeded against with "due severitie."
2. Two or three grave and learned men to summon once a year all the superiors of the priests and regulars "to examine their proceedings in what may relate to the Government in matters of doctrine or practice."
3. Notice to be given of all ecclesiastical "assemblys or chapters, the day and the place in order that they should not be held without his Maiesties express allowance" and nothing finally determined therein until a copy of the proceedings be furnished to his Majisty (*b*).

Holding such opinions one is little surprised at finding Walsh in close relations with the Protestant hierarchy. Boyle, archbishop of Dublin, writes to Ormond 6th July, 1664.

Your Grace's particular commands have obliged me to a frequent converse with Peter Walsh whom I finde to be very zealous as to the English interest. The confinement of some priests and

(*b*) Walsh to Ormond. No date. In the preamble he writes "I must confesse my Lord I was content to see under the hands and seales of the most inveterate heads of the disloyal part of the Cleargie a submissive application to his sacred Maiestie and to your Grace and to see them necessitated to make it by me whome for having formerly appeared against them in that manner I did in the fatal differences of our countrymen and for having unalterably adhered to his Maiesties interest with all faith affection and zeale, they persecuted so long and represented at Rome with so much horror and in the general chapter of my Order held there and to all my superiors both at Madrid and in countries beyond seas, charging me in all those places *with being suspected of heresy.*"

friars here and the insolent carrage of Magee and Docharty [Franciscans] with their confederates acting by the authoritie of a foreign power doth necessitate my Lord Deputie to doe some thing at this time in order to both. The prisoners examinations are taken, and they in plaine terms refuse to subscribe the Remonstrance of Peter Walsh and I suppose my Lord Deputy may think it convenient to your Grace's presydent to disperse them into severall places of restraynt. For Magee and Docharty and others of that party that remayne about the country and diffuse theyre poysons in all places as they pass, it is thought a proclamation published against them will be the liklyest way to prevent there mischiefes. I had some discourse with Peter Walsh who not only thinks a proclamation the fittest and the softest way to doe the work but adviseth it as necessary. He believes that there is a great concurrence between the fanatique English and the Nuncio Irish to rayse disturbance amongst us. In fine I perceave plainly he is very suspitious that the Nuncio party amongst the clergy will in a short time carry the whole sway of that kingdom to the discouragement if not destruction of the loyal party of the Clergy if something be not done to discountenance them.

The Franciscans who discarded Walsh received the particular attentions of the authorities. On 11th June, 1664, the archbishop again wrote to Ormond.

By the apprehension of some friars who were this day brought to town it is very probable that my Lord Deputy may discover the principall gang of those who have united themselves and declared against Peeter Walsh's protestation and who have designed the carrying on a forreign obedience in opposition thereunto. The persons now in restraint are doubtless of that party. So much their papers evidence and I hope this lucky hit uppon theire first attempts will discourage them from any further progress in the like nature.

The opposition to the Remonstrance being chiefly fostered by synods and chapter-meetings, these were carefully watched. The Protestant Primate writes 7th June, 1664, to Ormond.

My Lord Deputy [Ossory] being informed that one Dennis Magee a ffranciscan ffryer of the North who is lately retourned from beyond the seas is now in his visitation through the kingdom, and intends to hould a general chapter very soone, uppon advice had with the Archbishop of Dublin is resolved to issue his warrant for apprehending him and one Antony Docharty, provinciall, who countenances much the other but the Archbishop will take the advice of the Council before his warrants issue.

Again on the 6th of July he reported :—

When I came to the countie of Downe I found that there had been a great meeting of the popish cleargie two dayes before my coming thither but I could not get information what occasioned that confluence for privately it was carryed through. I was tould the most of them were druncke att night. I suppose that Dr. Daily vicar generall to the titular primate (to exercise his pretended and forrein juridsiction) had called them together which is a thing too vsuall with him and some others of that way.

Accordingly, as the Archbishop of Dublin had suggested, a proclamation was issued :—

Whereas information hath been given unto us by divers gentlemen ond others of the Popish religion that several pretended chapters have been and are to be soon called in several parts of this kingdom and meetings appointed by persons disaffected to his Majesties Government who take opportunities from those assemblies to diffuse and spread abroad among the people of that Religion seditious doctrines etc, all are hereby cautioned and forewarned that none shall presume to assist, abett, or countenance them and those who were engaged therein shall upon their duty of allegiance to his Maiesty forbear any further proceedings.

DUBLIN CASTLE 11 July 1664.

All intimidation and bribery notwithstanding, only sixty-nine ecclesiastics could be got to sign the Remonstrance. The surrender however, of the theological faculty of the Sorbonne to the French Government in 1663, gave Walsh and his supporters new hopes. Father Maginn, the Queen's chaplain, visited Ormond at Kilkenny and undertook to win over his brother, the Dean of Dromore, Daly the vicar general of Armagh and others in the North. Further, the exiled bishops, beaten it was supposed, to the knees were making piteous appeals to Government for permission to return. The Primate himself who on account of his staunch opposition, had to fly the country, was now writing in terms in which self-respect even was wanting.

May it please your Grace.

I am the Publican standinge a farre of and not daringe to lift upp mine eyes to the heavens and your Grace but knocking my breast humbly pray your Excellencie wilbe pleased to be favourable to me and make me partaker of his Maiesties vnparalled mercies, promising in the sight of God and his Angells that I shall endeavour to comply in all pointes with his soueraign

Maties most gracious will and your Excellencies comands as farr as shall become a true and faithfull subiect. If otherwise who am I, a worme not a man, the reproach of mankind, the vilitie of the people, a dead dogg and a flea yett my most gracious Lord

Your Grace his most abject servant

Paris 22 Oct 1665. EDMUNDE ARMACH.

Again he appeals to Captain Archer who had been set to watch the Irish in France.

Paris the last October 1665 Noble Captaine.

Heareing from Patrick Archer your kinsman that you are posted hence as I suppose for Ireland. I iudged it meete to comend vnto you mine owne case its this. I live in Paris these five months after being at Rome and in the way thether forward and backward about four years. Faine would I return to my country to be buried among my friendes I am next Januarie 68 yeares compleat and though I be not without offence I am never the lesse much calumniated, I would not or ever did subscribe to any violation of peace. At Waterford I vtterly denied before the Nuncio to putting hand to the breach of the peace concluded before that time at Giginston neer the Naess, I was never at Jamestown though called thether, nor at any meeting which I understood intended any dissention, breach or tumult butt though I finde not me self guiltie of ought yett in this I am not iustified for he is the Lord that iudgeth me. My humble request is that you be pleased in charitie to comend me to his grace the Duke of Ormond Lord Lieut of Ireland to be mercifull to me to whom I will give if neede be good securitie for my demeanour, I pray forget me not as Pharao his cheefe cup bearer forgott Joseph in the prison. The rest is that I pray God direct you in all your waies. I am your humble servant for Capt Archer.

EDMUNDE ARMACH. (*c*)

So that there was still reason to suppose, as in the case of France, that if a body of the clergy were gathered together under the shadow of the civil power, a considerable number might be committed to the Remonstrance and the dissensions among them thereby embittered the more. Besides, their refusal to subscribe would be construed as disloyalty and afford a pretext for further

(*c*) Orders were issued 18 March 1661 to arrest Primate Reilly, who seems to have escaped the country soon after. On 5 August 1662 Ormond wrote to the Earl of Middleton "Since my arrival here (in Dublin) I am informed that one Rely the Titular Primate of Ireland is or was lately at Ayre and that divers of his clergie went over to him. If your Lordship could gett him taken and safely sent over to receive his tryall for the villannys he did heere it would be very seasonable service and a great security to all honest men, for he is a fellow that knows by experience how to treat with fanatiques and all sorts of Rebells."

persecution. In the event safe-conducts were granted to the exiled primate, and some forty of the bishops and clergy at home to meet in Dublin. The motives which actuated Ormond are disclosed in his correspondence with Clarendon the English Lord Chancellor.

ORMOND TO CLARENDON 9 JUNE 1666.

The meeting of the Irish clergie will be held heere in the beginning of the next week though it hath been upon the matter prohibited by letters from Cardinall Barberini and the internuncio at Brussells as a thing threatening much danger to the Catholique religion. The letters sent from them by a Dominican frier one Farrell I took yesterday from the titular Bishop of Ardagh and send you copies of them. They were not opened by him nor could I haue found them with him if he had not been willing enough though he would haue it otherwise believed. I am still hopefull good use may and will be made of this meeting if the zeale which is almost generall heere against popery and Irish will lett us make the best of it.

I acknowledge it a greate and perhaps a bold negligence in me that I haue not acquainted the King with my correspondence with Primate Reyly in order to intelligence. In recompense whereof I promised him permission to end his dayes (which are not like to be many) peaceably in his owne country. By his coming I am confident there is no intention of invading this country. Another condition of his coming and receaving protection is his subscribing to the Remonstrance which will not only make his return desperate but give much countenance to it and as much mortification to Rome as they can receive from anything in Ireland. Now I remember me I did some moneths since acquaint my Lord Arlington with my correspondence with him [Reilly] and propose him as a proper spye. But he thought £500 a yeare (the rate he [Reilly] sett upon his service) too high and soe I admitted of his return, that is, promised to conive at it.

The refusal of the bishops and clergy to sign the Remonstrance was therefore the signal for renewed persecution. Of the three bishops who attended the meeting the Primate O'Reilly and Plunket, bishop of Ardagh were forthwith put under arrest. Lynch, bishop of Kilfenora made his escape to France.

ORMOND TO CLARENDON JUNE 27 1666.

The meeting of the Romish clergie heere is now dissolved but without their having subscribed to the Remonstrance or to anything of like force. The titular Primate is a jugler and seems to deny that he knew of any condition whereupon he was permitted to come over. My purpose is to send him back again,

after some tyme in which it may be discerned whether he had not some worse purpose in his coming. During his stay which shall be in the towne he shall be under good watch if not under guard. I send you herewith Father Caron's letter to me subscribed by him a day or two before he dyed. He was carefull to have witnesses by from the time he despaired of recovering lest it should be reported he retracted any of his principles, which was noe unnecessary caution for even before his death it was so given out and he had tyme solemnly to disown in the presence of many. You know whether he was to reckon upon the £100 he mentions in the postscript or noe (*d*).

CLARENDON TO ORMOND 7 JULY 1666.

I have not seen what you write to Lord Arlington upon the meeting of the Irish clergy. I doe wish heartily you would pursue your own secrett instructions which I am sure I would doe if I were in your case, and begynne with expelling all the priests out of Ireland who refuse to subscribe the Declaration. If you consent to the least alteration you overthrow the whole and absolve all who stand obliged by their subscriptions. The primate in my opinion should not be sent away but made a very close prisoner and noe man suffered to come to him. It is yett in your power to keepe out and improve that schism which will contain much security to the kingdom. I am heartily sorry for poor Carron's death; he was an honest man and it is an honest letter. I had directed £100 to be payd to him if he had been alive, it shall be payd as you shall direct.

ORMOND TO CLARENDON 18 JULY 1666.

I make no scruple to proceeding with all severity to the expulsion of those Irish clergie who have not or shall not subscribe to the Declaration in the same sillables as it was first conceived, but if that be done without any mitigation or favour to the subscribers they will shortly reunite. Those who have been persuaded (not without hope of advantage by it) to subscribe will take absolutions for having done it, and those who shall disdaine that refraction will be exposed to scorn and persecution from the other party and be without that countenance which should support them. How far that countenance shall extend is what I would receive direction in, and it may not be without inconvenience to the King to give such warrant without the advice of his Council. The titular primate has some colour of a safe conduct but the conditions are palpably broken by him. He shall not have liberty enough to doe mischief nor yet to be gone. Caron's

(*d*) Redmond Caron, O.S.F., was Walsh's principal supporter. Clarendon writes 13 December 1662 "Fr. Caron (of whom upon your commendation I take care here) desyrs me to recomend his poore friends to you, the man is sober and discreet and exceedingly abhorred by the papists."

£100 he left to pay debts and legacys as I think to Peter Walsh his distribution.

CLARENDON TO ORMOND 4 AUGUST 1666.

Concerning your Catholiques, the matter hath not been yet debated amonge us so much as in private. I do not think a better method can be observed in that affayre then is I believe expressed in your instructions—to prosequute the dissenters [i.e. non-subscribers] with severity till they are dryven out of the kingdom and not to prosequute or disturb the others in any degree.

The "prosecution" therefore of the priests who refused to put their religion under state control, was carried on more actively than ever. The Carte correspondence abounds in details. A spy in the service of the Protestant archbishop of Armagh reports 12 May 1667.

As I came from Armagh on tuesday the 15th of October 1666 I lodged that night in my way to Dublin att the house of one George Blykes vppon the ffewes who being then absent, vppon some discourse with his wife (who is a Roman Catholique) we happened to speake concerning Dr. Dawly who she told me vsed to keepe his visitations at her house every yeare but that now he kept it Dunleer and that vppon that day and that there was some difference betwixt him and one Draycott a priest that lived at Tradagh concerning the jurisdiction of the county of Lowth. The next day being the 16th I travelled from thence to Droghedagh and in my way thither as I was passing through Cappocke I saw an old man on horse backe and much company aboute him att an ale house doore in that towne and I asked the old man (whom I suspected to be a preist) whether the visitation was ended. He makeing noe reply being as I imagined exceeding in drinke, a young man on horse backe by him told me the visitation was done yesterday. I asked him where was the metropolitan he answered me he was not in this kingdome I then asked him where Dr. Dawly the vicar generall was, he answered at Dunleer in the way before me. After I came to Dunleer and lighted att one Peirce's house and came vnto a roome which they could scarce spare, being as I saw myself very full of company. Mr. Peirce the master of the house come in to the roome and I asked him what meant all that company, then he told me ther was a meeting of Dr. Dawly with severall of the Romish clergie to the number of 14 or 15 priests or there abouts, I asked him what they did there, he told me he knew not for they spoake nothing but Latine and he did not understand it. I then asked him who discharged the reckoning and his wife told me Dr. Dawly's servant payd her seaven and forty shillings yesternight and he payd her fifteen shillings that day and sayd they had few such dayes, I told her I supposed it was a visitation,

she said she knew not but the high sheriffe dined there yesterday and kept his Court Leet at one Millers house over the way the same day but that he dined in a roome by himselfe and not with Dr. Dawly.

From Kilkenny, Ormond's own city, came a list of the local Catholic establishments.

St. Maryes parish in Backe Lane	A convent of Franciscan Friers in St James street A popish schoole neere the Friers. A convent of Augustin Friers. A convent of Dominicans. The Jesuits chapple, a masse house The Jesuits schoole house. Luke Archer's chapple a masse house Back Lane.
St. Patrickes Parish	At Richard Nolan's a masse house. A nother masse house neere the gate.
St. Kennys Parish St. John's Parish	James Kevanagh a chapple a masse house Pierce Purcells chapple or masse house
In St. Mary's parish	One Lench teacheth a schoole at John Shea's near Mr. Walter Lawlesse his house
	In the sd parish of St. Maryes one Mrs Trennell & Mrs Cantwell keepes schooles

Luke Archer Parish Priest of St Maryes
James Kavenagh Priest of St Kennys
Piers Purcell Priest of St Johns
Peirce fforstal Priest of St Patrickes Parish

The Dominicans received, it would appear, special attention. A note of the names of all the Dominican Priors of Ireland,

Linster		Conaght.	
Kilkenny	Edmond Prendergast	Portumna	Christopher Walsh
Achaboe	Patrick Dulehanty	Athenry	Thomas Burke
Athy	Redmond Moore	Galloway	Nicholas Hallam
Mullingare	Garratt Dillon	Strade	William Burke
Trime	Gerratt Ferraill	Irlare	Domnick Phillbin
Longford	Richard Maddin	Boresule	William Burke
Munster		Rathtranny	Antony Henegan
Limbrick	John Burke	Sligoe	Philia Connor
Killmallock	Henry Burgate	Roscoman	John Bern
Youghall	Constantine Kyffe	**Ulster**	
Cashell	Patrick Henbery	Thredath	John Reynolds
Lorha	Thady Biragra	Newtown	Clemens Bern
		Coolrahan	James Crilly
		Goula	Thomas Mahun

Suma 24

The names of such Monasteries wherein Priors are not named at the present,

Linster. Dublin, Naase, Arcloe, Rosse.
Munster. Waterford Corck Gleanmire Tralee Clonmell
Ulster. Carlingford Dery
Conoght. Tuilsk.

An intercepted letter of the Provincial, Father John O'Hart (who writes under the name of Harrison) throws some light on the proceedings against them.

Copy of Harrison alias Hart's lettre to Clemens Berne: Yours beering date the 25th and last of May I received and considering your office to be expired and that you have not *numerus vocalium ad electionem requisitus* therefore I send you the inclosed and desire you to send for Mr James and Mr Thomas and notify this to them. Gowrin is already assigned in Carlingford *ut ibi sit numerus ternarius*. I desire Mr Crolly to help you well, I know he may doe it. I have sent my postilla with six breviaries to the young men in those quarters. I am summoned to appeare here, my bonds being called uppon. The reason I was sent for and none else is that they intend to make me an example to terrify all the superiors of Ireland that they might condiscend to Peter Walsh his remonstrance. They beginn with me that in regard of our order excepting one they cannot gett any to signe or as much as to flatter with Peter Walsh and that wee have been all obedient to the Nuncio which is most odious. Now my adversaryes cast such aspersions uppon me and myne to make us odious, they envy our stedfastness and unanimitie soe farr that they doe worke to sow sedition among us *Sed frustra*. Our friends in London gives us very great comfort that this tendring will fall of itself very soone and they commend much our resolucon and suffrances. Men are madd here Peter Walsh himselfe beginning to be weary of his proceedings in regardeth that he seeth his own faire promises to the nation to be frustrated that the nation is cast by this bill soe that ere long there will be noe accompt of his advice.

Soon after we find the Provincial a prisoner in Dublin Castle, together with some of his colleagues—Christopher Farrell, for instance, who had been imprisoned for bringing over letters from Cardinal Barberini forbidding the Dublin meeting, and Redmond Moore who was specially obnoxious to Walsh (*e*). The latter died

(*e*) "Such poore creatures as had not wherewithall to bribe him he (Walsh) persecuted so violently that one ffather Moore a Dominican died a prisoner"—Peter Talbot's vindication by a Pastor of Dublin.

after an imprisonment of three years. Besides those in the Castle there were some in other prisons.

Council to John Weaver Esq 15 July 1668.

You are to cause diligent search for Michael Shiele a Dominican frier who we are informed lives sometimes at his sister's house in Lisdark in the Kings Co. and cause him to be committed to the shire gaol until further notice. You are further to seize such papers etc.

Keane Carroll "a poore Dominican fryer" petitions, 13 April 1668,

That your poore suppliant vppon the 3rd day of September 1666 was and hath been a prisoner in the custody of the Sergeant-at-Armes where he remaineth in a most sad and deplorable manner haveing noe way to mainteine himselfe only what charitable Christians are seldome pleased to bestow on him, through meanes whereof your suppliant will undoubtedly perish if not by your Grace (at whose feete hee casteth himselfe prostrate for redresse) speedily relieved. And forasmuch as your supliant ever yet hath been a faithfull and loyal subject to his sacred Majestie King Charles the Second and to his predecessors and never acted anything prejudicial to the Crowne of England nor never guilty of that crime do deserve such tedious imprisonment. May it therefore please your Grace of your wonted mercy to order that your suppliant may be set at liberty, giveing good security that he shall be forthcoming whensoever called upon.

The Franciscans were as little spared as the Dominicans though many of them supported Walsh. Ormond indeed showed some countenance. On 24 July 1665 he ordered the release of James Fitz Simons and Thomas Harold who had lain in prison since New Years Day 1663. But other members of the government made no distinction.

ORMOND TO ORRERY 24 OCTOBER 1666.

It is necessary the insolent folly of those Jesuits, priests and Fryars should be soe restrayned as to teach them modesty when they are well used and prevent the scandall the licence they take may give to sober Protestants. The Jesuit [Stritch] should be sent for and his Pasarole called for and as his carriage shall be found so deale with him by imprisonment in order to his banishment. As to the Fryars I think it will be best your Lordship send for Coppinger who will be found about Corke and demand of him whether those fryars be of the number of the subscribers, requiring from time to time a list of their names. If he says

they are not of that number your Lordship shall doe well to cause them to be seized on. If they are your Lordship is to require them to separate themselves for the present. If he says that some of them are and some of them are not subscribers, let him give you a list of those that are not and then it will be fitt to seize them all but afterwards to set the subscribers at liberty and send the others to the nearest prisons. This distinction will keep up the disunion between them and secure us one party among them. When it shall please God to send us peace wee may more securely determine how all of the Romish profession are to be dealt with.

ORMOND TO ORRERY 8 JANUARY 1667.

Your Lordship hath done well to seise upon the Friers in Bantry and it is fitt that you should deale with those of Quin of whom there is not one subscriber and also that you find out if possible the two Guardians and lay them fast or take good security for their forth coming. I am sorry my cousin Daniel O'Brien gets him not a better sort of chaplains. For those friars or priests lately landed, as they pretend, out of Spaine I wish they may be apprehended if possible and examined concerning the place they left, the reason of their coming hither, who are their friends etc. I wish you would give order in the ports of that province to suffer none who shall land out of forreign parts to be let pass till after the like examination.

ORMOND TO ORRERY 30 MARCH 1667.

I am glad to find by your letter that Mulryan the friar is apprehended and I doubt not he be secured either in gaole or any other way until it shall be resolved what course shall be taken with him, I have sent directions to the high sheriff of Tipperary to make search for and apprehend Edmund Haghereen Edmund Walsh and John O'Magher and I desire that what evidence your Lordship can get against them and the rest may be sent to Clonmell against the next Assizes.

Orrery bore no love for Ormond and it would seem from the following order in the Council Book, that he girded at the latter for conniving at friars in the Tipperary Palatinate.

To Richard Earl of Arran 26 September 1670.

We are informed by the Earle of Orrery that in the suburbs of Cashell there are erected two convents of friers and considering that the place is within the County Palatine of Tipperary we doubt not your Lordshipp has power to suppress such buildings which if not seasonably prevented may grow into great evills but in case you have not power we upon notice shall supply that

defect. It will be necessary that we bee informed by whom and when those convents were erected and the names of the proprietors of the lands wherein they are erected.

BERKELEY.

When England was at peace with the Continent, and stories of popish treason could not be so easily concocted, recourse was had to the ancient statutes of *Praemunire*.

OSSORY TO KINGSTON LORD PRESIDENT OF CONNAUGHT 10 AUGUST 1669.

Having received information that severall popish recusents have lately severall times held numerous and unlawful assemblies in the town of Galway and that severall popish priests and Jesuits and others of the popish pretended clergy have and still doe openly exercise forraine and ecclesiasticall jurisdiction to the great oppression of his Maiesties subjects. We require you to informe yourself of the names and qualities of such popish pretended clergie as usually resort to that town.

LORD ROBARTS TO EDWARD BISHOP OF CLONFERT 14 FEBRUARY 1669.

We require your Lordshipp to use such meanes as you judge fitt for the apprehension of Daniel Kelly who seems to assume the place of titular popish vicar generall of the Diocese of Clonfert and he being apprehended be committed to safe custody in the shire gaole and cause such examination to be taken as shall be necessary for proofe of the matter contained in your letters of the 4 of June last.

ORMOND TO OSSORY 26 JANUARY 1669.

It seems Father Patrick's brother [Ronan Maginn, Dean of Dromore], is fallen into inconveniency by his ignorant zeale and though I am persuaded his intentions weare good yet I will not say it can be safe to interrupt the course of justice in soe tender a case as that of exercising forraign jurisdiction, by any publique order in stop of prosecution. But if the King's atturney be verbally and privately ordered not to be over diligent I conceive there can come no hurt of it.

More fortunate therefore than others, Maginn escaped.

Priest hunting would appear to have ceased in a great measure with the departure of Ormond in 1669. His successor Lord Berkeley would adopt neither the policy of persecution nor of intrigue. Hence the Catholic authorities were free to take their own course with Walsh and the other hired agitators. But Ormond stood by his old friends; and henceforward for three years the quarrel of

Remonstrants and Anti-Remonstrants was fought out at Whitehall instead of Dublin. Before the new viceroy had left for Ireland Ormond made strong representations to Charles upon the "persecution" which the Remonstrants were undergoing for their loyalty. Accordingly special instructions were issued to Berkeley.

> Whereas we are given to understand that since our calling the Duke of Ormond from the government there divers of the disaffected party of the popish clergy are not only returned to that our kingdom but have beyond seas obtained titular dignities of archbishoprics and bishoprics with unlawful powers which they have presumed to exercise to the great discouragement of all or most of those who subscribed a remonstrance declaring the allegiance they bear to us, our pleasure is that you severely put in execution the laws against such titular archbishops bishops or vicars general as have cited, excommunicated or threatened any of those who in England or in Ireland have subscribed the said remonstrance, and that on all occasions you give protection to those who have subscribed and not retracted their subscription.

Peter Talbot who had been appointed to the see of Dublin in 1669 took the leading part against the Remonstrants. All sorts of reports were made to government about him. One dated 21 June 1670 runs,

> Heer was last Saturday a meeting of all the Catholique bushops of Ireland to regulate some disordres in their owne church. The principal grounds of their meeting wear thes—to Publish the Popes inhibition to them to medil in anne temporal busines—to take away the fast of wensday and the hole dayes not sutable to thes kept by that Church. On Saturday last Petter Talbot tould them he was apointed by the King to oversee all the clergie of Ireland. The Tetular Primat Pluncket desired to se the autorete, and that he would submit. The other said he had it not vnder the great seal. The Primat replied the letil [seal] would serve his turon and that in the intrim that he shewed this of the King's, he was to oversee him and would. They have gevin a Remonstrans to his Excellencie, it's the same the Clergie gave tre years agoe to my Lord Duke. Petter Talbot tucke occasion at this meeting to declare that my Lord Duke [of Ormond] had beene the ruine of the Catholicks and instanced seuerall things. I should thinke that to asperse such a minister as your father is, in such an assembly is penal and to assume that he is overseer of the Clergie heer by the King's autorete ought to be soe to. My Lord Liftenant is acquainted with all this and vere sensible of the Malis of this man's behaviour and will write to the King.

Walsh and his followers appealed directly to the King. "Your petitioners" they stated "are estranged from the comfort and charitie of their friends and relations by reason of the violent persecution of Peter Talbot and others now exercising jurisdiction over your honest and peaceable subiectes" and having recited their grievances, conclude by petitioning that "by your gracious hand they may be rescued from those unsupportable afflictions." Talbot in defence wrote to Sir Ellis Leighton, Berkeley's secretary.

TEMPLEOG 9 July 1670.

Honoured Sir.—I give you many thanks in having my letter delivered so safely to our friend. That foolish libel that Collonel Fitz Patrick kept so great a stirr about and wherein it was said that I excommunicated all Peter Walsh his adherents, was represented in England as a true solid piece. My friend [King Charles] desires that my Lord Lieutenant will certify vnto him and to my Lord Arlington whether I be such a disturber of the peace as that Paper sayes and Fitz Patrick writes. Therefore I beseeche you to speak to my Lord Lieutenant to doe me the justice as to signify whether I have not demeaned my selfe since his arrivall heere as peaceably and inoffensively as any other of my function. And for excommunicating I never as much as threatened it, butt to the contrary have hindered the Superiors of ffriars (who are exempt from the Bishop's jurisdiction) from prosecuting some of their regulars with that vigour and censures which their scandalous lives deserve merely for feare of stirrs and noises notwithstanding that I knew Fitz Patrick doth countenance Coppinger and two or three more dissolute fryars against me, who are the only unquiet spiritts amongst us. I write the inclosed to arm my two friends that my Lord Lieutenant will certifie the truth according to their desire and my request, I should advise you and my Lord Lieutenant to beware of Fitz Patrick did I not feare you would thinke it proceeded from passion. I pray speak to his Excellency to certifie the truth by this post.

Your faithfull servant
P. TALBOT.

Lord Berkeley's reply to Ormond's attack was equally effective.

BERKELEY TO ORMOND 13 SEPTEMBER 1670.

I had whilst I was at the Curragh, a letter shewed to me from my Lord Arlington signifying in plaine tearmes that your Grace had informed his Maiestie in his Lordship's hearing that I had discountenanced those called remonstrators and countenanced their opposers, I shall take leave to say that the complaint of

Peter Walsh though most true were very injurious to me; because neither he nor any other in his behalf has made any the least address to me since I came hither. Secondly if Peter Talbot doth now exercise forraigne jurisdiction heere to his prejudice and those of his way I am the least answerable for it of any man living, having declared to Peter Talbot at my coming to this place that if he should disturbe any man upon the account of their being Remonstrators (though upon other pretences) I would make him an example. For which and others of my plaine dealings with him he hath been much unsatisfyed with me ever since my arrivall. What he [Walsh] meanes by *Peter Talbot and others* I know not but wish they had been named that I might have the stricter eye over them. But what if all these reflections upon me be without ground? I have great reason to believe they are soe, because my Lord Chancellor told me this day some of Mr. Walsh's way complaining to his Grace now three months since in generall terms, his Grace desired him to make proof of any one particular. Since which time he hath never heard from the Gentlemen.

During Berkeley's administration it was in vain that Ormond and Walsh tried to stir up feuds, and kindle the fires of persecution.

When Essex succeeded to the vice-royalty, there was every hope that the peace which the church had enjoyed for three years would continue. Archbishop Talbot was in London and on his return he brought to the new Lord Lieutenant the following letter of introduction.

FR. PATRICK MAGINNIS TO ESSEX 27 JULY 1672.

May it please your Excellency. The Gentleman that humbly presents this to your Excellency is the person I gave you a character of at Whyte hall. His integrity and loyaltie is well known to the King and the ministers who are sufficiently assured of his capacitie and willingness to assert his Maiesties interest. It was on that account and on no other that I presumed to recommend him to your Excellencie's favour. The reason I made bold to offer this trouble by his own conveyance is to the end he may have the more easy and speedie access in order to the honour of being personally known to your Excellencie, of which he must needs as he ought to be very ambitious. And since he together with the rest of his profession in the country resolves never to fayle in their loyaltie, affection and duty to the King our master, I hope your Excellencie will be pleased to entertain good and favourable thoughts of them and of their endeavour to serve his Maiestie, for whom they are and alwaies shall be free to sacrifice their lives.

SAME TO SAME 26 AUGUST 1672.

Mr Talbot acquainted me with your Excellencie's favourable reception of him upon my recommendation for which I return my most humble and thankfull acknowledgments accompanied with the assurance of my resolution to continue with the deepest respect imaginable. Yours etc.

A year later we find Arlington, Secretary of State, introducing another bishop.

WHITEHALL Sept 16 1673.

My Lord—I write this to comply with a promise I made to the Titular Bishop of Clogher to write to your Excellency in his favour whom I saw once only after he had layne many months sick here in London, I knew him in Madrid a ffranciscan ffryer, much esteemed in his Order and no lesse in the Court by the ministers there; and by his good offices to them, I found much helpe in his Maiestie's affaires entrusted then to my care and in all occasions he seemed to be full of loyalty and duty to the Crown of England. He is a man of good parts and understanding in the affairs of the world and this testimony I owe him that if he continue there, you may know him to make use of him and I shall be glad your Excellency will let him know I have recommended him to your favour, which is all the occasion of this, I am your Excellencies most faithfull and most humble servant ARLINGTON.

With this Dr. Tyrrell brought a second letter more laudatory if possible. But when it is stated the writer was Ormond one may be prepared for the crooked corrective which followed ten days later.

CLARENDON HOUSE 27 Sept 1673.

My Lord—I have been impatient for an opportunity by some safe hand to send a letter after that I sent by the Titular Bishop of Clogher that you may know why I gave him such a letter. The man was of good credit in the Court of Spaine and had good accesse to, and countenance from the ministers of that kingdom. I found by good arguments he was no friend either to the Titular Primatt nor yet to Peter Talbot envying perhaps the preferring of the one to the Primacy, and [envying] the credit the other boasted he had in our Court, and I believe from this emulation and discord your Excellency might be the better informed (in a time of so much danger as I cannot chuse but suspect this to be) of any designe there may be to disturb the government especially by that party. Your Excellency being so well able to distinguish betwixt such intelligences as proceed from malice and those that bear a probability of truth, and I am further to inform your Excellency that he who carried my

letter has the reputation of a man secret enough, and upon whose word it is not always necessary too much to rely but these are not characteristics peculiar to him amongst those of his function as experience has very abundantly thought me when I was in that government and had more to do with them than I hope your Excellency will ever find cause to have. ORMOND.

By this time however, Essex had mastered the policy of dealing with the clergy which Ormond for twenty years had perfected and made his own. He replied,

DUBLIN CASTLE Nov. 14, 1673.

My Lord—I have lately received two letters from your Grace both concerning the Titular Bishop of Clogher ; the first delivered by himself, the latter wherein you were pleased to discourse more freely concerning him was brought me by this gentleman Sir Bernard de Gomez. 'Tis a great advantage both to myself in particular and to his Majesties affairs in generall that your Grace is pleased to communicate with me so plainly the knowledge you have of persons in this kingdom, and I desire you will continue this correspondence as often as there is anything necessary for me to know and that you have the opportunity of conveying it by a safe hand.

The execution of the late address will I conceive put an end to all relating to these titular Bishops who now must quit the country and I hear they are all preparing to be gone, in obedience to it. One thing I have of difficulty lying upon me in this Article of the Address which I do not make known to any of my friends in England except your Grace, it is this, Soon after my coming hither, Moloony the titular bishop of Killaloe whom I look upon as the most dangerous (because the wisest) man of all the clergy made a composure of all the differences between their Primate and Peter Talbot ; as also the dissentions between Colonel Talbot and Collonel Fitzpatrick and had upon the matter well nigh made an union among them all, I soon found that if this proceeded I should have no intelligence of any of their practices or actions. I believe it to be one of the most important things I could do both for his Majesty's service and for the security of his Protestant subjects here either to keep those men divided or if they were united to break them again. I made some of their friers who alwaise have their little wrangles with the secular clergy, to set up faction against their Bishops and by encouraging their little annamosityes amongst themselves, I at length brought them to that pass that they openly accused one another of exercising ecclesiastical jurisdiction contrary to the laws of the land. Several examinations were taken and the Bishops brought to swear one against another, which have renewed their divisions to that degree as I believe they are now irreconcilable.

By the address of the House of Commons all the regulars are to be banished and should I put this exactly in execution I must send all these poor friers abroad, who have done us this service and expose them to great severityes there; indeed I believe some of them acted so far as they will certainly loose their lives should they be sent beyond seas. There are but very few not I am sure beyond six or eight who have been principally instrumental in this affair; and for these though I will not give them any publique protection yet my intention is to counive at them and give some gentleman in the country charge to take care that they be not troubled for doubtless in all these cases 'tis impossible but something must be understood to be left at the discression of a governor. Yours etc. ESSEX.

Ormond again wrote 9 December 1673,

It is without doubt needful that your Excellency and whoever governes for the King there should have good intelligence of the temper and designes of the severall partyes there of whom there are none so numerous so agreeing in principles of religion or so unsatisfied with their condition as the Irish Papists and therefore your Excellency does most prudently to continue such differences as arises amongst them in poynt of secular interests for to that all their contentions referre. When I had the honour to governe in that kingdom I found meanes to devide them upon the subscription of a certaine Remonstrance declaring their fidelity to the King in temperalls in such termes and to that degree that was not agreeable to the pretences of the Pope. This Remonstrance with the countenance given to the subscribers and discountenance to the refusers got ground very fast; but after I was recalled this cours was neglected if not inverted and the subscribers were exposed to the persecution of the refusers even in Ireland. If this test had been continued it would have made a more useful and reasonable distinction then that betwixt Regulars and Seculars, for, as many Regulars are well affected to the Government so divers Seculars are as dangerous to it. But it was not easy to make this understood in an English House of Commons nor was there time for it.

The plan of dividing the Irish ecclesiastics into factions was even carried a further stage. Before, they had been split into Remonstrants and Anti-Remonstrants; now, some of the bishops themselves in their insensate distrust of Archbishop Talbot were got to give evidence of the exercise of foreign ecclesiastical jurisdiction and thereby to bring down upon the whole body the storm of persecution. It is sad to find among the ecclesiastics overreached in this way, the saintly Archbishop Plunkett. A file of infor-

mations in the London Record Office enables us to realise how Essex "brought the bishops to swear one against another."

Though the efforts of Reynolds, Coppinger, Gernon and the other recalcitrant friars to curb the "exorbitances" of Archbishop Talbot, got little countenance from Berkeley, this did not prevent them from renewing the attack under his successor. At first they met with little success. But in February 1673 Lord Dungan of Castletown near Celbridge, committed one John Byrne a Dominican of Kilcock to Naas jail charged with various misdemeanours. While in jail Byrne was visited by Sir Henry Ingoldesby one of the leaders of the "Protestant Interest" with the result that Byrne accused Dungan of being the mere instrument of Archbishop Talbot who had previously excommunicated him and laid the people of Kilcock under interdict for adhering to him. All this was too good not to be converted to political capital and so Lord O'Brien a great champion of "the country party" was instructed to bring the affair to the notice of the English Commons. Meanwhile in the hope of putting out the threatened conflagration, John O'Moloney, bishop of Killaloe, interposed with Byrne.

> I have received your lengthy letter in which you try to prove your innocence, I wish you could persuade others as easily as me. I will do what I can to procure your liberty both with the Archbishop and Lord Dungan. Your case is more difficult than you think nor am I certain I can do for you what you wish, yet I will see that my help shall not be wanting. But I must warn you that a complete and unconditional submission is absolutely necessary and that you will retire from these parts to the place of obedience appointed by your superiors or elsewhere if you prefer it outside this province. We shall take care of your reputation as far as possible but you must surrender to another the business of the Order hitherto entrusted to you in these parts according to the command of the Superior or Provincial. If I can (which I do not expect) obtain better conditions for you I will gladly do so. Yet I give you a friendly warning to get out on whatever easy terms you can and not to plunge into litigation or danger. It is better to anticipate than to be anticipated and he who is wise only after the event (like most of our cloth) is wise too late. If you are a sensible man I have said enough. You will hear from me again for I hope to meet the Archbishop to-day on this business.

In vain however did Moloney advise submission. Ingoldesby

for his own reasons kept Byrne in jail for the Assizes. Towards the end of April the following petition was sent to Essex.

The Humble Petition of John Byrne a Dominican ffriar etc. sheweth —That Peter Talbot titular Archbishop of Dublin within the said city has severall times exercised publickly foreign jurisdiction and by virtue thereof publickly and privately slandered threatened and vexed those that for their constant affection to the Government should discover or censure his irregular proceedings, in which he likewise encouraged Patrick Plunkett titular bishop of Meath, with some of his priests to second him against the Petitioner who publickly opposed his violent proceedings, all this to the great distraction of the simple people who for their over much credulity to the like prelates or pastors of their souls think themselves bound in conscience to execute what they command them, notwithstanding what mischief they suffered upon the same score in the late rebellion. The premises considered may it please your Excellency for the preservation of the loyalty and peace of the ignorant people to oppose timely, things of so great consequence, and to that intent to nominate two or more Protestant justices who jointly or severally in Dublin and Meath may examine the abuses of the said Peter Talbot and his confederates in exercising foreign jurisdiction and raising yearly taxes by his priests from the people contrary to the laws, and that the truth of this may better appear that your Excellency's protection may be granted to the Petitioner and others concerned therein.

Talbot on his part petitioned Essex to have the whole matter investigated before himself or before a Committee of the Privy Council that so, there would be less danger of forged evidence or suborned witnesses "it being notorious that the said Byrne and his confederate John Landy alias Reynolds are convicted of such infamous practices." Essex of course refused and on the 28th April in accordance with the prayer of Byrne, issued a commission to Sir Hans Hamilton, Sir George Rawdon and Dr. Topham to hold an enquiry and call before them the witnesses named by Byrne. Talbot in the last resort appeared in person before the Privy Council 5th May. Essex reports to Arlington—

Peter Talbot presented a petition to the Council whereof a copy is enclosed. The substance and almost the very words were contained in a petition he presented to me a few days before and I had answered that I would put the business in such a way of examination as I should think fit; and that he might satisfy himself that neither he nor any other should have any injustice

done them. Now his presenting this his second petition to the Council was looked upon them as a great contempt of me and in the nature of an appeal from the Lieutenant to the Board, and thereupon they all generally resolved to commit him, but I was willing enough to have his committment suspended so we only gave him a reprehension and dismissed him.

Knowing Talbot's influence with the King, Essex took care to acquaint the Secretary in advance with his proceedings.

I have lately had a complaint from some Friers against Peter Talbot and though I am confident his ill usage of them and by my Lord Dungan's assistance his imprisonment of one, has provoked them to make this accusation yet the matters in it are of so high a nature as my duty obliges it not to pass it by without putting it into some way of examination, I give your Lordship this early notice because I know the skill of the person concerned [Talbot] and his intelligences in England how forward he will be to invent some lies upon this occasion. The substance of the complaint against Peter Talbot may be reduced to these 3 particulars.

First That he had exercised forraine ecclesiasticall jurisdiction in this kingdome.

2ndly That he had pretended his Maiesties authoritie for the exercising of this his forraine ecclesiasticall jurisdiction.

3rdly That he had leavied moneys upon the people.

I have referred it to Sir Hans Hamilton Sir George Roydon and Dr. Topham to examine and give me an account of it wherein if anything shall be proved considerable I shall not faile of acquainting your Lordship with it.

The Commissioners held their enquiry on several dates between the 5th and 12th May, 1673. They examined in all fourteen witnesses—eleven ecclesiastics and three laymen. The ecclesiastics included six Dominicans, one Franciscan, the provincial of the Carmelites, one parish priest and two bishops. It may be well to begin with the evidence of the parish priest of Kilcock, Dennis Egan.

Being demanded if he received any letters or orders from Talbot lately excommunicating Byrne or for interdicting the parishioners of Kilcock, he says about August last he received a letter from him commanding him to forbid the parishioners to hear Byrne's mass. This letter he by command read to Byrne at the Market Cross, divers others being present. Last September he received the annexed instrument signed by the Vicars or Deputy Vicars General the contents whereof he published to some of the parishioners and showed it to others. Being demanded whether he had not forbidden the parishioners to hear his own mass or

denied to christen their children he says he did forbid them and was commanded by his superiors to do so, because they did not obey the said interdict and that he had christened children but he had refused to admit some of the parishioners to be godfathers for the same reason of disobedience.

The said Instrument.

That the moderation of the Government in not prosecuting the Roman Catholic clergy for exercising their functions, might not be abused by our indiscretion in being too public therein, it was ordered by our spiritual superiors that those thought guilty of that fault should moderate their zeal so that the neighbouring Protestants might have no cause of complaint. The only person who did not comply with their orders is Byrne, Dominican prior of Kilcock who not content to travel up and down the country in his monastic habit, ceases not to blow his horn to assemble the people in his chapel there to mass and sermons, it being one of the greatest roads and markets of this kingdom. Complaint thereof being made he was commanded by the Roman Catholic Ordinaries of Dublin and Kildare to be more discreet and private, and he contemning these commands it was ordered that no people should be admitted to his mass or to any other in or within a quarter of a mile of Kilcock. He contemning this command also and continuing to blow his horn without any regard to the laws of the land or the canons of the Church, we, being concerned for the souls and peaceable behaviour of the Roman Catholics of the diocese of Kildare, which the said Byrne disturbs, declare that by his disobedience and his continuancy in his dangerous and damnable courses, he has separated himself from the communion of the Roman Catholic Church and therefore all members of the same Church are bound to shun his conversation, and also that of those of whom he pretends to be superior and who live in his priory. Neither ought they to give him or them any alms but to look upon them as vagabonds or sturdy beggars, and all are bound to obey the justices or constables when their aid is required for apprehending or leading to prison the said Byrne if the magistrates think fit to punish his crimes. This we only declare and we do not intend to exercise any foreign jurisdiction contrary to the laws of the land but only advertise the Roman Catholics that Byrne's priestly character or religious profession can be no protection for his seditious and scandalous proceedings nor ought to deter them from helping the King's officers to apprehend or carry him to prison when legally required, 12 August 1672.

JOHN WHELAN,
DOMINIC DEMPSEY.

After Peter Walsh himself one of the principal antagonists of Dr. Talbot was John Reynolds. In the charges made against the

archbishop during the vice-royalty of Berkeley, his name is constantly found. His evidence now in brief was—

On 8 September last at the Dominican Chapel in Bridge St., Dublin, Talbot in person declared friar John Byrne an excommunicated person as the deponent was informed, and 2 December last Talbot likewise declared the said excommunication at the Jesuit's Chapel Dublin as the deponent is likewise informed. Thursday or Friday before St. Martin's Day last Talbot in presence of the deponent and many other Romish clergy at a public assembly in Bridge Street, declared that Byrne was an excommunicated person and the question whether it was lawful for them to imprison him was resolved in the affirmative. The deponent and William Ash a Dominican friar were then employed by Talbot to Byrne with a warrant from Sir Maurice Eustace to show it to Byrne and to persuade him to depart from Kilcock otherwise the warrant should be put in execution. Last October at a public meeting of the Romish clergy at Bridge St. the deponent being present, Talbot publicly declared that he had an authority and power from the King over the Romish clergy of Ireland, to banish, punish and correct them, and the said Talbot wrote several letters to that purpose and particularly to Oliver Plunkett, titular Primate of Armagh, and to Constantine Keeffe, Provincial of the Dominicans. The first was shown and read to the deponent by the titular Bishop of Meath and was to that effect. Talbot commanded the deponent to write to the said Provincial to come to Dublin within ten days otherwise he would have him clapped up in prison by virtue of his said power from his Majesty. The deponent being at an assembly of the Romish clergy in Dublin, Talbot declared that a marriage then celebrated by a Protestant minister betwixt two persons whereof one was a Roman Catholic and the other a Protestant viz.: Simon Luttrell and a daughter of Sir Thomas Newcomen was not lawful, and shortly after, as the deponent heard, the said parties were married again by Talbot.

Some of these particulars were corroborated by the depositions of Edmund Wall, Edward Chamberlain and Michael Fullam, Dominicans of Dublin. But in the deposition of William Ash there is no mention of the supposed warrant from Sir Maurice Eustace for Byrne's arrest. The statement about the mixed marriage is supported by the evidence of Thomas Dillon, the Carmelite Provincial. Some further "enormityes" of the archbishop are related by other witnesses. Christopher Farrell another Dominican "has heard that Talbot threatened to excommunicate also Dr. Anthony French at the Capucins Chapel in Dublin but knows

not whether he was excommunicated." Further picturesque hearsay evidence was given by Ignatius Gernon a Franciscan.

> He had heard from Anthony Garland [Qy Gernon ?] a Franciscan that Talbot had threatened him and others that he would excommunicate him if he would not leave Dublin, and that the said Anthony had lived at Dundalk for several years past by reason of the said Talbot's prosecution against him. The deponent has heard that Valentine Cruise, John Read and Francis Coppinger have likewise been removed from Dublin by Talbot's threats, and that Francis Coppinger was removed from being Provincial in this kingdom by the See of Rome, contrary to the customs of this kingdom which used to choose their own Provinciall and that the authority for removing Coppinger was sent into this kingdom to Talbot.

Having made good the charge of exercising ecclesiastical jurisdiction, the Commissioners examined the bishops mainly on the two remaining counts against Talbot, viz.: levying money, and usurping royal authority to control the clergy. It may be well to explain that in 1670 Colonel Richard Talbot, brother of the archbishop, was selected by the Irish nobility and gentry who were dispossessed by the Cromwellians, to plead their cause at Whitehall. To add force to his arguments with the statesmen there, abundant money was needed, and so collections were organised in Ireland. The other point about exercising royal authority is not so clear. On 17th June, 1673, Essex writes to Arlington "I am confident if the truth were fully known (as I have some well grounded hints though not such as amount to proof) it would appear that father Patrick Maginn did write to Mr Peter Talbot as in your Lordship's name to encourage him to proceed in his exercise of ecclesiasticall jurisdiction, and upon this he founded his pretence of his Majestie's authority transmitted to him by some of the King's ministers." But making all allowance for Essex's opportunities of knowing, the truth seems to be that Charles did authorise the action of Talbot. They were on the most intimate relations. Their private cypher may still be seen in the Bodleian, and when the storm came Talbot was too loyal a friend to disclose a warrant that would have made the unsteady throne of Charles, totter. This is confirmed by the fact that when seven months later he had to fly the country he carried with him to the continent

commendatory letters from Charles and the Duke of York to the King of France (*f*).

THE EXAMINATION OF DR. OLIVER PLUNKETT, TITULAR ARCHBISHOP OF ARMAGH.

Asked what he knows of any foreign jurisdiction exercised by Peter Talbot, he says, he heard he excommunicated friar John Byrne of Kilcock, and he saw a letter from the said Talbot in his own hand directed to Dr. Patrick Plunkett titular Bishop of Meath, setting forth that he had declared Byrne excommunicated for not obeying an interdict on the inhabitants of Kilcock and desiring the said Patrick Plunkett to warn all the parish priests of the diocese of Meath to beware of the said friar as of an excommunicated person. Being demanded what he knew or had heard concerning the levying of moneys in Ireland for agency abroad on their behalf, he says, about Candlemas Term in 1671, being in Dublin he was called to a meeting by the said Talbot at the house of Captain now Sir Thomas Newcombe, at Oxmantown, where many of the Irish nobility and gentry were assembled of all the provinces except Ulster, but none of the clergy that he remembers, were present except Talbot and himself. There Talbot propounded that this Examinate should exact moneys from the clergy of Ulster for the agency of Colonel Talbot in England on behalf of the Roman Catholics of Ireland. This Examinate answered that he did not know before of any such meeting about that affair, and that he could not consent or conclude of any such matter, none of the said province being present, and he thought it dangerous for him to undertake the levying of money of the King's subjects without authority. Then it was further propounded by the Earl of Westmeath that those present should give a voluntary contribution. Thereupon Talbot and this Examinate each said he would give £10. But this Examinate being informed the day after by George Plunkett priest in St. Thomas Street that that Talbot was levying the said £10 off his clergy and that he the said George, to the best of the Examinate's remembrance gave 20s. towards it and had also paid 20s. before to Talbot towards the agency of Mr. Netterville in England, and perceiving the said money was exacted from the clergy there, when Mr. Tuite being collector for the said money, came to demand his £10, he told him he would not pay any moneys till he had spoken with his clergy in the province of Armagh, as well as Talbot had done with his in Leinster. And afterwards this Examinate declined the payment thereof and neither received nor paid any part of it, nor did any other to his knowledge pay any part of it, but several of the gentry at the said meeting then promised payment towards the said agency, but this Examinate does not remember their

(*f*) Hist. MSS. Report 10, Ap. v, 363.

names or what they promised to pay except that Francis Barnewell promised £5. Lord Berkeley being then Lord Lieutenant, he went presently to him and acquainted him with the said meeting and passages there, which his Excellency said he had notice of already and advised him not to contribute anything towards the charges of any agency, which this Examinate observed accordingly and a day or two after went out of Dublin, and does not know what was acted there in the said affair afterwards. Being further demanded what he knows of Talbot's declaring to him and others of the clergy here of any power he had from his Majesty over them all or of his exercising thereof, he says in 1670, he himself summoned all the Roman Catholic Archbishops and Bishops to Dublin to declare their loyalty to his Majesty, where they met and drew up a remonstrance. And variance happening as to who should deliver it to his Excellency after they had all signed it, and it had been agreed that Sir Nicholas Plunkett should present it, this displeasing Talbot he declared before the said bishops that he had authority from his Majesty to oversee and govern all the Roman clergy of Ireland. This Examinate answered that he desired to see the said authority under his Majesty's hand and seal or such a signification thereof from some of his ministers as should oblige his obedience thereunto. Which when Talbot could not or would not produce, he told him that neither he nor any of them was bound to obey him. Moreover Talbot wrote about eight months ago to the titular bishop of Meath declaring that Fr. Patrick Maginn had lately written to him by Lord Arlington's order to the purpose aforesaid, viz., that he should admonish or oversee the actions of all the Romish clergy of Ireland and give notice of such misdemeanours as he should observe in them to his Majesty's ministers to have offenders punished according to their demerits, and that having observed many things acted by the Romish Archbishop of Armagh fit to be corrected and particularly about changing a certain nickname viz. "Mac Ichy" (in English the son of a blind man) which Talbot said was now really become a sirname and was in the power only of the King and Parliament to alter, the said Archbishop should retract what he had done in prohibiting the custom of using such nicknames in families or else should be punished by his Majesty's ministers. Whereupon this Examinate being informed by the said Patrick Plunkett and others that Talbot had frequently given out he had such an authority over this Examinate and all the rest from his Majesty or his ministers and having got into his hands Talbot's said letter sent it over to Lord Philip Howard, Almoner to the Queen, to know whether Talbot had any such power as he pretends from his Majesty or any of his ministers. The Lord Almoner answered that no such power was given to Talbot from his Majesty or Lord Arlington or any other of his ministers—8 May 1673.

THE EXAMINATION OF PATRICK PLUNKETT, TITULAR BISHOP OF MEATH.

On 17 June 1670 at a meeting of five or six Romish bishops at Mr. Reynold's house at the Bridgefoot, Dublin, Peter Talbot declared that he had authority from his Majesty of England to correct and punish all the Romish clergy of Ireland. Which being disapproved by some present and particularly by Oliver Plunkett titular Primate of Armagh who desired to see it, saying if it were so he would obey it, the said Talbot did not produce any such authority. Some few months after the said Talbot showed this Deponent a letter from Fr. Patrick Maginn importing that he, Talbot, was to correct the vices of the Romish clergy of Ireland, and that it was by the advice of Mr Secretary Arlington. A copy thereof was sent by the said Talbot to the said Oliver Plunkett by this Deponent's conveyance with a letter from the said Talbot to the same effect. Oliver Plunkett answered that he had sent him only a copy of a letter, and how authentic it was we did not know but would send into England, and as he should receive an answer, so he would demean himself. This Deponent has been informed that the Earl of Arlington has disowned that he ever gave any directions to the said Fr. Patrick to write any such letter. This deponent received a letter from the said Talbot intimating that friar John Byrne was *de jure* excommunicate for he had violated an interdict imposed by the Vicars General of Kildare on the town and inhabitants of Kilcock, and desired the deponent to send the same to his clergy to take notice of it and this Deponent accordingly sent copies to his clergy in the diocese of Meath but he, this Deponent, has neither the said letter nor a copy of it. 12 May 1673.

The previous March the English Commons in the full blast of Protestant frenzy demanded the expulsion of Talbot and the other bishops from Ireland. Charles gained time by referring the Commons' address to the Committee of Inspection. But any hope he had of shirking the issue was destroyed by the bundle of depositions sent over by Essex. As parliament was re-assembling in October the English Council on 26th September sent the following instructions to Essex.

In reference to the fourth Article [of the address] it is his Majesty's express pleasure and command that you by advice of the Privy Council there issue a proclamation commanding in particular Peter Talbot, pretended Archbishop of Dublin and all other titular Popish archbishops, bishops, vicars-general, abbots and all others exercising ecclesiastical jurisdiction by the Pope's

authority forthwith to depart out of that kingdom, or otherwise that you cause them to be prosecuted according to law, and that all convents, seminaries and Popish schools be dissolved and suppressed and the regular priests commanded also to depart upon the like penalty.

As this is the first of a long series of mandates to the Irish clergy to quit the country it may be given at full length.

1673, October 27, Council Chamber, Dublin.

Essex. We the Lord Lieutenant and Council according to his Majesty's commands signified unto us by the Lords of the most honourable Privy Council of England bearing date the 26 day of September, do in his Majesty's name straitly charge and command Peter Talbot, pretended Archbishop of Dublin, and all other titular Popish Archbishops, Bishops, Vicars General, Abbots and all others exercising ecclesiastical jurisdiction by any authority derived from the Pope or See of Rome in this kingdom and also all regular priests that they before the last day of December next depart out of this his Majesty's kingdom of Ireland upon pain of his Majesty's high displeasure and of such other pain and punishment as by law may be inflicted upon them.

And for their better means to depart we hereby declare and publish that if any of the said titular Popish Archbishops, Bishops or other persons hereby commanded to depart out of this kingdom shall at any time before the said first day of December next resort to any port town and there declare to the chief magistrate or officer of the said town or port that he is a person included within this our proclamation, they shall suffer him or them quietly to depart and shall see them shipped and sent away for foreign parts.

We expressly forbid and prohibit all and every his Majesty's subjects to receive harbour or relieve any of the said titular Popish Archbishops etc. after the time hereby limited for their departure.

We further in his Majesty's name straitly charge and command all and every the mayors, justices of the peace, sheriffs, constables and all other his Majesty's good and loyal subjects that they and every of them from time to time from and after the first day of December next shall make diligent search and inquiry for and after all such titular Popish Archbishops etc. and upon the discovery of any such titular Popish Archbishops, etc,, or of any receiver or harbourer of them that they shall forthwith secure them and advise us the Lord Lieutenant and Council and take care the said persons be proceeded against according to the laws of this kingdom.

Many of the proscribed clergy entered their names for transportation in the ports of Dublin, Cork, Galway, and Waterford,

hoping in accordance with the second clause of the proclamation, to obtain protection and that meanwhile the storm would blow over. By the third week of December the mayors of the several towns began to report unexpected difficulties.

Whereas several of the Popish clergie applied themselves to several of the chief magistrates of divers port Towns, declaring their readiness thence to be shipt away and whereas the masters and owners of shippes refused to receive them as passengers in their shippes. If such masters refuse to receive and transporte out of this kingdom such a competent number of said persons, you are to bind over such masters to appear at this Board.

And whereas we are given to understand that some doubt is made whether secular Priests are within the intent of the Proclamation, we declare that such secular Priests who have not exercised ecclesiastical jurisdiction by any authoritie derived from the Pope or Sea of Rome are not to be included in the said Proclamation. 19 December 1673.

Directed to the Mayors of Galway, Limerick, Cork, Waterford and the Sovereign of Ross.

Even if the ship-owners and masters were willing it was a question if there was shipping enough in the country to transport the vast number of friars and other condemned ecclesiastics. Sir George Rawdon writes from Lisburn, 17th December. "I hear not of any priests transported nor is there shipping to carry them into foreign parts, so what his Excellency will do next I foresee not." His Excellency did the best he could in the circumstances—pretend it was no affair of his to provide shipping. So, on 31st December, 1673, orders under the most stringest penalties were issued to the clergy registered in Dublin to quit the kingdom within fourteen days. A fortnight later it was reported to the Council that divers of the popish clergy were continuing about the port of Ross. Similar reports came from Galway, Limerick, Waterford and Cork. A further series of mandates was issued 12th January commanding them to depart before the 26th. Meanwhile some of the magistrates were showing activity.

Sir—Your letter concerning the apprehending James Marshall titular Deane of Raphoe and Marney McGolerick frier was communicated to his Excellency and this Board. We well approve your diligence in that affaire and [they] command me to acquaint you that the Frier be continued in gaole till further order and

for the titular Deane if he be a secular and hath not exercised ecclesiasticall jurisdiction then you enlarge him but if otherwise that he be continued in gaole, 20 December 1673.
To Brazill Brooke etc. at Donegall. JOHN DAVY.

Mr. Browne—Your letter to my Lord Thomond concerning your so seasonable apprehending and committing ffrancis Connor the frier, was communicated to my Lord Lieutenant and Council. It is their pleasure the Assizes for the County Carloe being soe neare that you doe then and there present the said Connor, with good evidence for his so offending against the last proclamation against friers. 7 March 1674.

Essex himself writing to an English correspondent 25th January, 1674, states,

The Lord Mayor of this Citty [Dublin] brought me a list of about thirty or more priests and friers who had given their names to him as being in this town in order to their transportation, and there being a fleet of seven or eight merchantmen to goe for France I directed him to see them putt on board and sent away. All which he assures me is executed.

This is probably the body described by Ingoldsby in a letter to Lord O'Brien 26th January, 1674. "A pretty large pack of bishops and friars have been shipped from hence lately, amongst them your friend Mullony." Yet two months later, after much grinding there was little wheat, and Essex sent over one Mr. Harbord to explain to the English Council that the bishops and friars could not be put out by "fair and legal means." Instructions were returned to use all such ways as his lordship should think best. Accordingly a fresh proclamation with more stringent penalties was issued April 27th.

His Majestie is informed that notwithstanding the proclamation, the titular Popish Archbishops, Bishops and others or diverse of them refusing to give obedience thereunto, do remaine still in his Majestie's kingdom, concealing themselves in contempt of his authority and of the laws Wherefore etc.

But between those who were hiding and those who were in the ports freely offering themselves for transportation the Council was sorely perplexed.

Mr. Constable the Mayor of Galwey intimating that severall to the number of forty of the popish clergie in that town commanded by the late Proclamation to depart the kingdom, were

willing in conformitie thereunto to transport themselves in a shipp then in that harbour but that Linch the Master or Owner thereof would not undertake their freight under forty shillings for each of them, which the said friers and soe foorth pretended they were not able to raise. Wherefore the Mayor prayed his Excellencie's directions.

Ordered that it be signified to the Mayor that the said persons are at their perills to transport themselves. 18 May 1674.

Even when the friars and priests were secure on board ship and clear of port their transportation was by no means certain. For the Lord Lieutenant writes 25th January, 1674.

We still find new inventions of these priests to evade the execution of the Proclamation. As particularly from Ross I hear that several friers being there putt on board some shipps in order to their transportation into forrein parts were by the Owners of the ships sett on shoar within ten miles of the place, for which these Owners are like to answer at their returne. And truly I perceive plainly that unless his Maiestie send some ships or orders to hire them here on purpose to transport these people we shall not be able to gett the country cleared of them.

The English Commons resolving themselves into a Committee on Ireland, 18th and 20th February, took a full survey of the Catholic enemy there. As usual the attack was led by recreant Irishmen—Lord Arran, Ormond's second son, and Lord O'Brien, heir to the Earl of Thomond. The latter was the orator of the occasion, and memoranda of his speeches may still be seen, scribbled, blotted and re-written, among the Irish papers in the London Record Office. A selection of these may here be given but they must of course be read with caution.

People in Ireland 1,100,000, three eights Protestant. Above 4000 Romaish Clergy, 500 Protestant. Romish Archbishops, Bishops and Dignatories have beside their dues at home, abbys or such like endowments in France. The clergy and lawyers generally bred up there of late years since that Monarch swelled so high. Colleges endowed there for them. All the youth almost of that kingdom (I say the Papists) sent over into France where they are bred up to the Church, Law or Sword. . . . . the French King keeps above 2000 youth always in colleges for divinity and law and has now for the most part in his service all those whose estates were forfeited.

Quaere what's the danger now more than formerly?

Visitations, confirmations etc. most frequent,—2000 or 3000 at a meeting. Fifteen year ago not a mass said openly in the

kingdom, now it's common. Above 30000 [Protestants] returned to mass. Any who had married [Cromwellian] soldiers, carried husbands and consequently the children with them.

Common papists depend on the priests, they on the bishops and superiors and they of late years wholly on the ministers of fforayne princes but especially France where they have great endowments. Mass flourishes but since 13 or 14 yeares past. For there was not a public mass anywhere. Now 500, 1000 or 1500 masses dayly.

After this overture he proceeded to give minute statistics after the fashion made popular by Sir William Petty.

Seculars	1600
Grey Friars	2600
Black Friars....	600
Jesuits	25
Capuchins	16
Archbishops	4
Bishops	24
Seminaries abroad	2500
	7369

1. There are 2,278 parishes in Ireland and in each, one with another, above 100 persons that go to confession once a year at least. None is admitted by the priest to confess before he pays his 3d., and many 6d., 12d., or more. But reckoning but 3d., which the priest demands as his due it amounts in every parish to £1 5s., which in the 2,278 parishes is £2,847 10s.
2. Those that go to confession and no others are admitted to the Sacrament, which being a duty they much covet to perform, it must be concluded that as many as confessed viz., 100, so many received. He that offers least pays 12d., which amounts one with another to £11,390.
3. There are 80 Sundays and holidays in which the priest says mass for which he demands and receives from all the communicants 4 patricks, which makes 2d. English. This from 100 persons amounts to 16s. 8d. per week and from every parish per annum £66 13s. 4d. which from 2,278 parishes is £151,866 13s. 4d.
4. Committations (as they term it) of penance for perjury, fornication adultery and incest, which is among the vulgar most horridly practised, the bishop has from every one thus offending 10s, and if but two be reckoned for in a parish, though it's frequent to have half a score, it amounts in the 2,278 parishes to £2,278.
5. For every christening, wedding and burial the mass priest has 2s. Allow but 10 per annum to each parish, it amounts to £2,278.

6. Let the party that dies be never so mean it is the custom for the people, not only of the same parish, but those adjacent, to come to the burial and every one that comes pays 3d. at least to the priest as an offering and many 6d. and others 12d. It's very rare but at every burial there 200 or more appear, nay at many, one two or three thousand, and yet allowing but 200 and those at 3d. per head and that in every parish there are 4 burials per annum this amounts to £10 in each, and in the 2,278 to £22,780.

Having scared the vision of the faithful Commons by this financial bugbear, Lord O'Brien sketched his plan of dealing with the priests.

1. There being but 500 ministers in Ireland, the like number of priests (and those seculars) to be allowed and no more.
2. That these be registered in every county and appear at every Easter sessions for their county and take out a license or protection sealed with the public seal of the county in open Court betwixt 10 and 12 in the morning.
3. Registered priests to wear a particular habit.
4. That fixed places be appointed to each priest for holding his conventicles, and that none of them presume to go above five miles from the place where he officiates without leave first obtained under the hands and seals of five Justices of that county.
5. That since the proclamation of 27 October last has not proved effectual for banishing the Romish bishops and regulars, it be considered how to provide for the more speedy clearing that kingdom of them and of all others not licensed as aforesaid.

Death to any [priest] proved by two witnesses to endeavour the perverting any Protestants.

All this to be put in execution this next Easter sessions and a proclamation to give notice of this forthwith and also to command all others of the clergy [i.e. unlicensed] to repair between this and first May next to some fixed places shipping to be provided to carry them where they desire or you appoint. Death to any that obey not, or that return again.

Essex, who had to face practical realities, laughed such proposals as these down the wind.

ESSEX TO HARBORD JANUARY 25 1674.

We have of late from severall of the Justices of Peace of this kingdom received an account that they have apprehended severall friers and priests who in contempt of the proclamation presumed to stay longer than the time therein limited.

As for the banishing of the bishops and friers together with all such as have exercised ecclesiastical jurisdiction, whatever may

be apprehended at a distance, I am confident it is so far from causing a discontent even among the Papists themselves, I am sure that they are rather glad of it, these being a great burthen to them in the collections of money which were being perpetually made for their support. But should it be resolved to use the like measure with all the seculars I am not without apprehensions what the consequence thereof might be, there being severall hundred thousands of the popish religion in this kingdom and should any such thing be thought on, it were fitt the King had a standing army of at least fifteen or twenty thousand men in constant pay and upon duty. For I would be loath to be answerable for the peace with a less force in case I were putt upon the execution of such orders.

But the hunting of the regulars and the higher ecclesiastics was actively continued throughout the years 1674-5. Peter Walsh from the safe shelter provided for him by Ormond in England appealed to the Lord Lieutenant in behalf of his brethren.

My Lord. I am my selfe one of those Regular and unalterable subscribers and have now endured so much on that account that custom of suffering may be thought to have taken from me the sense of it. But I cannot reflect upon the deplorable condition of my friends without tears of griefe, that a few men of loyalty approved by the very best of all tryals, Persecution, should for no other reason than for being Regular Priests, should by the Royal Authority, for maintenance whereof they have suffered so long, be thought unworthy to breathe the aire of their native country and be excluded even from that freedom which at least 1200 of their Anti Remonstrant opposers are permitted to enjoy. Truly the condition of these men is very hard. If they disobey the Proclamation, besides the hazard they run from the Laws, they must starve. For they cannot find shelter amongst their nearest relations, whether the tenderness of nature be overawed by the penalties mentioned in the Proclamation, or hardened by the practices of their perpetual antagonists. If they obey, they give themselves up to the cruel mercy of their Irish adversaries and Papalin Zealots in foreign countries while in the mean time such vast numbers of those Ecclesiastics who have wrought their woe, are protected and cherished by that same Royal Authority which they refused to own any farther or longer than it should please the Pope.

Essex not paying much attention, Walsh next addressed one of the leaders of the English Commons "humbly to request your honour to lend your favourable attendance at the Committee of Religion."

P. WALSH TO SIR H. COVENTRY 4 JUNE 1675.

Praying that your honour may not think it not unbecoming your particular care and compassion of afflicted innocents, to represent effectually both to the House of Commons itself and the Committee of Religion, the special case of those few unfortunate Irish Churchmen, those men of sorrow indeed, who suffer so extreamly in their Church for being loyal Remonstrants and yet from the State for being Regular Priests. For, relieving of such sufferers is fit for such a great person as you and makes you truly so. Certainly there is no greater participation of the Divinity in this life or hopes of it in the next than by doing good.

The following is a further illustration of the Lord Lieutenant's activities.

ESSEX TO SIR H. CAPELL 19 MAY 1674.

I received a letter of May 12 from Mr Harbord, wherein he told me there was a strong report about town of a priest which I had caused to be taken by soldiers out of my Lord of Westmeath's house, I must observe to you that no noblemen are by the proclamation debarred their chapleins in their houses; they may keep any of the secular clergy provided they have never exercised ecclesiasticall jurisdiction. Why these noblemen cannot content themselves with any other chapleins than such as are banished persons, I cannot well understand.

There came a gentleman to me about the end of January or beginning of February last and acquainted me that one Oliver Dease, Titular Vicar General of Meath, and one Reilly a frier were often seen in the County of Westmeath in contempt of the Proclamation. Dease did harbour himself at the Earl of Westmeath's house, and Reilly at another Gentleman's house near there. That he was sure that if diligent search were made at those two houses, at one or other both would be taken, I then said I would give orders to some of the Justices of the Peace to look after it. Whereupon this gentleman told me that I would faile of my endeavours if I went that way to worke, for that the country thereabouts being most of them papists and very watchfull about their priests, the Constables could not be stirring anywhere there, nor indeed get help to them but they would be betrayed. Hereupon I ordered a party of souldiers to perform this service, a thing in all times not unusual in this kingdom in cases of the like nature. Now I would faine know whether I should slight this Information and thereby leave myself at this Informer's mercy to be accused at the next sitting of the Parliament. This Dease is a very able, shrewd man, and one who manageth the whole business of the Popish interest in the two or three countyes thereabout, and they would faine keepe him here. I have also had applications from severall

of the noblemen to dispense with their chapleins but doe find that should I gratify them in this, all the tumultuous dangerous priests would by that means be harboured in these noblemens' houses, and not a mischiefous fellow would ever be sent away.

There was one high-placed ecclesiastic whom Essex was unwilling to run to earth—Primate Plunkett. He had rendered good service against the Tories and his action in the Talbot case could not be ignored. In the proclamation banishing the clergy it was asked that he be exempted by special proviso.

ESSEX TO SIR HENRY CAPEL 13 OCTOBER 1673.

Here is one Oliver Plunket the Romish titular Primate of this kingdom who seems to be one of the best men of his persuasion I have mett with, and though I doubt not but he is industrious enough in promoting his own religion yet I could never finde but he was of a more peaceable temper and more conformable to the government then any of their Titular bishops in this country. I know not well what proceedings may be in parliament in relation to us here, or how far the matter of religion may be concerned in it, this only I shall say that in case any debates should arise by way of discriminating of persons and putting banishments or other punishments upon particulars I should be glad for the reasons above-mentioned you would yourselfe and some of our friends secure this Gentleman from any such severitie which should be singly and personally inflicted on him.

Though like the others he had to go into hiding during the earlier months of the persecution, it does not appear from the records that any determined attempts were made to capture him. On the contrary his remaining in the country was rather connived at. In the absence of Essex in England during the latter half of the year 1675, Archbishop Boyle, the Chancellor, and Sir Arthur Forbes acted as Lords Justices. Boyle's secretary, Beecher, writes to Essex in October 1675.

My Lord Chancellor gave me enclosed, directed to himself. He said he was in dispute with himself what to doe therein, for either the person that wrote it was a crazed man or else it might be one of the discontented of their clergy, through whose pickes [piques] something might redound to public benefit. But yet he was not willing to be very strict in the inquiries after these persons named in the letter in regard he did believe they might be connived at for reasons of state. However a messenger was

sent to make search for those persons in that place but noe such was found. The person that writes the said letter concealing his true name and place of abode, he could no further proceed and therefore was apprehensive it might not be a Roman Catholick but some other that might have a design to lay a fund for a clamour against himself [the Chancellor] for not taking notice of such intelligence.

[Enclosure].

8$^{br.}$ 1675.

My Lord—Your Excellencie being Lord Deputie of Ireland together with Sir Arthur Forbiss—Being engaged in conscience not to conceal anything prejudiciall to his Maiestie, after mature deliberatun I thought it lawfull to acquaint your Excellencie of the subsequent—About the 8 of September there was a Packet sent from the Pope of Rome to the pretended Lord Primate of Ireland one Plunkett and another to the old Bishop Plunkett. They both together live at the Innes in Sir Nicholas Plunkett's. He that brought the Packett was one Thomas Kerry and the superscription was to one Thomas Cockes (so they call the said Plunkett). Whether they be any hurt or harm in this Packett I cannot tell but know it is from a forraine power and against the law. If your Grace be pleased to inquire after it, putting these two Bishopps to their Oaths I warrant that they will not conceale it. If I see your Grace in earnest after this business I will declare more of other persons that keep the same correspondency, but them two being the Capitall heades they are most concerned. Unless your Grace prevent you shall repent,—few words to a noble witte.

To his Grace Mich$^{l.}$ Boyle etc. GABRIELL JOHNSON.

I live in the Irish Quarters and am so well friended that I dare not discover where I am for feare of any accident; but I assure your Grace unless you have a great care of this my information his Maiestie must know of it.

In the following information we have the first appearance of the man who more than any other helped a little later to bring the Primate to the scaffold.

THE EXAMINACON OF JOHN MOYRE TAKEN BEFORE ME THE 27 OF DECEMBER 1676.

Who being duly sworn on the Holy Evangelists saith that about October 1672 this Examinate and one ffather Thomas Crawley coming from Rome towards Ireland, at Marsellis they mett one Thomas Plunkett and one Neall O Neill going from Ireland towards Rome and falling in company with them in the chamber of the said Plunkett and Neill (the last being off the

same countrie in Ireland with the Examinate and the said Crawley), he told them that he the said Neill and Plunkett had a letter from Doctor Plunkett Titular primate of Ireland directed to Seignior Boldeskie who was Secretarie to the Societie de propaganda ffide which letter they (sic) showed to the said Crawley and to this Examinate, and the said Crawley supposing it to be a letter recommending of the said Plunkett and Neill to the said Secretarie opened the letter to enable him the better to advise the said Plunkett and Neill how to make their applicationes to the said Boldeskie and others the ministers of the Court of Rome, and having opened it they found the contents of it to be as followeth viz.: That the said Doctor Plunkett being sent over to this kingdom as Primate had (he thanked God) good success in his undertaking in this kingdom of Ireland for that he had kept a Provinciall Council in his Province and had erected a school for educating youth and had alsoe insinuated himselfe into the good opinion of severall of the Lords and of other persons off qualitie in Ireland soe as he had a freedome and intimacie with them.

That he heard that a warre was then beginning between the Catholic princes abroade which he desired might by all means be prevented, ffor that in that warre they shedd Catholicke blood and did not thereby propagate the faith but if the Court of Rome should soe order the affaire as to reconcile the said princes and that they or some of them would be prevailed with to send an army for Ireland, they might have good success in it and thereby propagate the faith to the advantage of the Romish Church and therefore prayed the said Secretarie to employe his Interest with the Archbishop of Aixe being a Cardinall of the French party to persuade the French King to a peace and to the sending his arms to this kingdom in which he the said Doctor Plunkett wold be an usefull Instrument, having already by his owne travelling through the kingdom or by the Information of others by him employed, enabled himself to give an account of all forts, castles and strongholds of this kingdom and of the wayes of taking or surprising of them as alsoe of all persons of qualitie who would be usefull Instruments to helpe to carry on the warre, there being very many whom he knew would take arms with them.

This Deponent further saith that he the said Doctor Plunkett this late harvest travelled through Munster butt what his occasions were, knowes not but suspects the worst.

And this Examinate being further desired why he did not sooner discover this, saith that he was two yeares after in Spaine with the said ffather Crawley who he thought would have come along with him, and that since his coming to this kingdom being about two yeares he was a stranger and knew not to whom to apply and that alsoe he dayly expected over the said Thomas Crawley

who saw and read the said letter in Marsellis and if here would declare the same and the contents of itt and hopes the said Crawley will soone come over and further sayeth not.

JOHN MOYRE.

Taken and sworn before me the day and yeare above said

A true Coppie.

No notice was taken of this either, for as yet there was no market for roguery. The few bishops in the country were left undisturbed. But the respite they enjoyed was only the calm which precedes the storm.

CHAPTER II.

REIGN OF CHARLES II. (*Continued*).

IN 1678 the stories of Popish conspiracies culminated in the "Popish Plot," and the persecution hitherto chronic became acute. Ireland according to Oates and Tonge was to take a leading part in the scheme for the destruction of Protestantism and liberty. The several garrisons (they said) were to be seized, four Jesuits were told off to assassinate Ormond, four "Irish ruffians" were lying *perdu* near Windsor to remove Charles himself, while on a concerted date there was to be a wholesale massacre of Irish Protestants. The leading conspirators were Peter Talbot, archbishop of Dublin, and James Lynch, archbishop of Tuam. A papal nuncio was actually resident in Ireland and ample assistance was promised by the French king. The first details reached Ormond in Kilkenny, 7th October.

THE KING AND COUNCIL TO ORMOND.

Whereas Information has been given upon oath touching a dangerous conspiracy against the life of his Sacred Majesty and that amongst divers other particulars of pernicious consequence it hath been testifyed in reference to his Maiestie's kingdom of Ireland.

1. That by the meanes and contrivance of Peter Talbot titular Archbishop of Dublin, the Duke of Ormond Lord Lieutenant of Ireland was to be murthered.
2. That with this Signall there was a generall Rebellion to commence in that kingdom and to be supported by the Pope and the French King.
3. That in order thereunto there was already a Nuncio sent by the Pope remaining in that kingdom and 40000 black Bills already there wherewith to arm the Irish upon occasion.

All which points with severall others do more at large appeare by a paper given to this Board. It is thereupon ordered by his Maiestie in Council . . . . . in particular that his Grace use Effectuall meanes to compell all the Titular Bishops or dignataryes of the Church of Rome to depart that kingdom

with all possible speed. But for the person of Peter Talbot titular Archbishop of Dublin against whom the Information is more particularly made, that he be seized and taken into custody and an account returned to this Board of what upon his Examinacon shall appear. Also that his Grace direct the Lords Archbishops and Bishops of that kingdom in their respective Dioceses to observe diligently the meetings and assemblies of the Popish Recusants and that they send his Grace Information of all which may deserve his Grace's care, and prevention of these evills we have been informed of. 30 September 1678.

ROBERT SOUTHWELL.

Ormond lost no time, for before setting out from Kilkenny he issued warrants to arrest Peter Talbot who in broken health had ventured home to his brother, Colonel Talbot, at Luttrellstown. By the time Ormond reached Dublin the archbishop was a prisoner at the castle, while a few days later Nicholas Netterville, superior of the Dublin Jesuits and several others were put under arrest. At a Council meeting it was resolved to banish all the regulars and higher clergy from the kingdom. Accordingly a proclamation similar in terms to those issued in 1673-4, was made 16th October commanding all archbishops, bishops and others exercising popish jurisdiction to depart the kingdom by the 20th November. All convents, friaries and popish schools were forthwith dissolved and special penalties enacted against all receivers, relievers and harbourers of such popish clergy. How the proclamation was received we have some evidence. "At Waterford," writes Ormond, "the proclamation was in part taken down and the rest of it besmeared; it was done in the night and without the walls so that it could not be known who did it." In Dublin "there was something of a fellow's offering to take down the proclamation (at least the sentry thought) for he thrust the fellow into the body." But whether through vincible ignorance of the proclamation or through frank contempt of it, few of the clergy had transported themselves by the 20th November. On the 19th Orrery reports.

The Mayor and some of the chief aldermen of Youghal, Cork and Kinsale say only one of the regular Romish clergy (named Grace) has given in his name to be shipped, in these three ports though this is the end of the time.

A supplementary proclamation 6th November required all owners and masters of ships bound to parts beyond the seas to set up in the most public places, notices in writing of the time of their departure and obliged them to take on board all such ecclesiastics as presented themselves. Orrery wrote from Cork 22nd November that several ships for France, Spain and Portugal had given notice of their departure but so far only two poor friars offered to go. Worse still "though none are gone, two have come in, one from France the other from Spain." But though the priests were not to be found in the neighbourhood of foreign-going vessels, they abounded in other ports.

ORMOND AND COUNCIL TO THE SHERIFF OF CO. LOUTH.

Whereas severall of the popish clergie have resorted to Carlingford and Dundalk under pretence of shipping themselves there, and we being satisfied that it is well known to them that few or noe shipps do export thence for any forraine parts. We require you to take such of the popish clergie as you shall find in or about Carlingford or Dundalk into custody and safely to convey them to Drogheda to be kept in custody there untill there be convenience of shipping. 29 November 1678.

Yet Ormond was sanguine, "This is the day" he writes to Lord Longford "beyond which all the titular and regular popish clergie in this kingdom stay in it at their own peril and they will not find it so easy for them as heretofore to lurk here and evade the penalties that will follow." On 2nd December, he proceeded to make good his word by issuing mandates to the sheriffs of the different counties throughout Ireland.

We being informed that in manifest contempt of the proclamation few or none of the Popish regular clergy have departed the kingdom and for that we have not yet received any intimation from you or any of the justices of the peace in your county that any of the said clergy are apprehended. We therefore do hereby require you and the said justices to redeem this your neglect and more vigorously put our commands in execution by diligent search for such clergy who have not departed the kingdom and committing them to safe custody. Whereof we expect a speedy and good account. 2 Dec 1678.

As the local records have long perished, we can glean particulars of the magistrates' proceedings only incidentally from the Carte manuscripts and the Council Books.

The Jesuits, according to Oates, were the most dangerous of the clerical conspirators; against them therefore action was first taken. Nicholas Netterville, the rector of the Dublin house, was arrested early in October and on the 17th of that month he was examined by Jones, bishop of Meath, Robert Booth and Sir John Davys.

THE EXAMINACON OF NICHOLAS NETTERVILLE OF THE CITY OF DUBLIN, GENT.

Sayeth that he is one of the Society of the Jesuits and that he is superintendent over such of that Society as are in and about Dublin viz. Mr. Corsher (*g*), Mr. Gough, Mr. Johnson Mr. William Long. Hee saith that of that Society there are about thirty in the whole kingdom, that there are none of them in the north of this kingdom, that he knows no one person of the Northern parts of that Society but the said Mr. Johnson. He saieth that the several persons following are of that Society, Mr. William Ryan of Caherlagh who is the Superior of the Society in Ireland, Mr. Quirck in Kilkenny, Mr. Gerrald Nugent of Brackly in the County of Westmeath who is now coming to reside in Dublin, Mr. Nicholas Nugent now resident neare Beggstown in the County of Dublin, Mr. Ignatius Carbery att Balledoyle in the said County of Dublin, Mr. Richard Bourke att Portumna in the County of Gallway, Mr. Kerwin in Gallway, Mr. ffrancis White, Mr. Martin White and Mr. Cleere in Waterford, Mr. Peter Creagh in Limerick, Mr. Jealous neare Rosse in the County of Wexford, Mr. Everarde who came into the kingdom about two yeares agoe and now (as the Examinat supposeth) is att Portumna but the names of the rest of the persons of the said Society in this kingdom he cannot at present remember. He saith he doth know Mr. Morgan (*h*) and did see him in this kingdom about three yeares since and that he came then into the kingdom by order of the Generall of the Society att Rome to visitt the Jesuits here concerning their Temporalities and to settle some differences between them concerning the same. That he did not know any money he brought with him, that he stayed in this kingdom about four or five weeks. He saith that when the Proclamation issued commanding all persons of the Examinate's condicon to depart the kingdom, hee the Examinate was very sicke and continued soe for a long tyme after, which was testified under

(*g*) Query Usher?—or it may be an assumed name.

(*h*) "My Lords, likewise in January 1678 (as near as I can remember) Morgan was sent into Ireland as a visitor and he returns in February or March and gives us an account how ready the Irish were to vindicate their freedom and their religion from the oppression of the English as they called it."—Titus Oates, Trial of Lord Stafford, p. 115.

the hand of his physician and uppon his recouery hee desyred to depart but finding that severall persons who did depart were returned he stayd and hath continued in the kingdom since.

NICH NETTERVILLE.

Father Netterville was doubtless transported but if we trust the information given before the English House of Lords 10th November, 1680, he made his way back to Ireland, since he was ordered to be arrested again on that date. The proceedings against the Jesuit Superior appear in a report of the Irish Privy Council sent to England.

The Lord Lieutenant having notice of one William Ryan to be Superior of the Jesuits in this kingdom thought fit to have him secured and examined and his papers seized, which accordingly was done by Captain Robert Fitz Gerald a member of this Board in pursuance of several letters from this Board of the 5th and 8th of November 1678 and the said Ryan was brought up with a guard and committed to the Castle.

On the 5th of November 1678 letters were sent from the Board to Mr. Secretary Coventry giving an accompt of the proceedings against Ryan and one Richard Bourke another Jesuit with the examinations of the said Ryan and Bourke in which mention was made of one thousand pounds given by one Hughes a Jesuit to a college of Jesuits at Poictiers in France which thousand pounds was said to be lodged in the hands of Daniel Arthur.

And there appearing nothing material against Ryan in reference to the plot he was by order of the Board dated 26th of February 1678[9] put aboard a ship bound from the port of Dublin to some foreign part in order to his transportation according to the proclamation for that purpose.

Some of the Protestant bishops were active in the work of capturing Jesuits and other popish ecclesiastics. In January, 1679, the Council directed Secretary Davis to acquaint Hopkins, bishop of Raphoe.

Your letter to the Bishop of Meath concerning the apprehending and imprisonment of Stretch a Jesuit was communicated to the Council. It is their pleasure that Stretch be continued under his imprisonment until an opportunity presents itself wherby hee shall be transported. As to the poor man in whose house hee lodged and was taken their Lordships do not see anything whereupon to ground a presentment against him.

The magistrates' correspondence shows similar activity. One Jeremiah Jones writes from Sligo to Ormond, 12th November, 1678

—eight days before the time-limit for the departure of the priests.

There was taken in my neighbourhood last week by one Henry Thornton, a Jesuite by name John ffitz Gerald born in the County of Kerry and as he saith not above seaven weeks in Ireland. He took shipping in August last in Nants in ffrance and came for England and staid at London some time, and from thence took shipping at Bristoll and landed at Belfast and soe took his journey through this country to Galway. After apprehending him, Thornton and some others that were by, heard him utter some words that discovered him to be sent over as one of the twelve jesuites sent into this country by the pope. Taking him that night to my own house and telling him of the daunger he was in of Death he imediatly did disclose vnto us wher there were eight or nine of his Society dispersed in Galway, Limerick, Waterford and Kilkenny according to the inclosed note of their names with severall others which had in their keeping Commissions under the Great Seale of France and the Pope. I brought him to the toun of Sligoe and secured him in the town Martiall's house with a souldier attending him day and night at my own charge.

Though few in numbers, several of the Jesuits evaded capture ; two years later John Bradley and Thomas Atterbury sent over by Shaftesbury to work up evidence for the Plot, write from Dublin that they had seized some Jesuits but there were others still to be got. Who these were, or whether Jesuits at all, does not appear. In January, 1681, the Council got on the track of a real Jesuit without knowing it.

COUNCIL TO THE MAYOR OF WATERFORD 15 JANUARY 1680[1].

We require you upon receipt hereof to take into custody John Cleere a regular priest now resident in the Citty of Waterford ; we require you to seize upon his papers and have him sent under a safe guard to this Citty of Dublin.

COUNCIL TO THE SHERIFF OF CO. WATERFORD 31 JANUARY 1680[1].

Whereas etc. we find by Certificate of the Marshall and of a Surgeon in Waterford that the said Cleere is soe sicke that he was not in a condition to travell, you are to view him and certify etc.

The Augustinians, at this time a very small body in Ireland seem to have obeyed the proclamation. But in steering clear of Scylla some of them found themselves in Charybdis. Sir Robert Southwell wrote to Ormond from London, 7th December, 1678.

A vessel was lately driven into Milford Haven by stress of weather wherein were four Austin friars from Dublin in their way to France; they coming ashore were clapped in gaol till orders go from hence and the orders which go this night are for examining the seamen as well as the friars to be fully possessed of the truth.

The custom officer at Fishguard had the worst opinion of his prisoners.

JOHN LEWIS TO ALDERMAN HUMPHRY JERVIS 2 DECEMBER 1678.

There were forced to Milford lately by stress of weather four friars, they say of the St. Augustine's order and they call themselves James Higgin, Thomas Eustace, John Dowdall and Laughlin Keogh and another person who they call Thomas Conroy, servant to Eustace. They flung a cask overboard when they saw they could not avoid the port, and they forced the master and the two boys that belonged to the vessel to keep sea to the utmost. They came on board at Dublin. I am persuaded they are some of those villains that conspired against the good Duke of Ormond. They are in the common gaole and shall be so kept till we hear more of them, which I pray inquire into, for we cannot extend too much diligence, our King and kingdoms lying under the burthen of Popish villains. God preserve us in this dangerous age.

The Dominicans and Franciscans being the strongest bodies numerically, occupied more of the Government's attention. An unworthy member of the former order named Bernard Dennis helped to bring upon his fellows, much persecution. The fearsome story he told was:—

In the year '68 I entred into the Order of the Dominicans in Ireland; and in the same year there arrived at Dublin a Franciscan Frier, brother to the late Earl of Carlingford, and arriving there he made severall Collectors for the levying a competent sum of money out of every convent. The collectors were by name, John Reynolds alias Landy and John Berne and arriving in the County of Sligoe in the month of May '68 when the Collectors came to the Convent of our Friers there, all the friers gathered together into a room and these Collectors coming in did read their commission given them from one James Taaffe as they said; and I was there personally present though a novice; and upon reading their commissions they said forty shillings was to be paid by the Prior and the friers of that Convent; and the Provincial of the order of the Dominicans questioned the power of the said Reynolds and Berne and so did the Prior; and I ask'd why the money was levy'd? They gave answer: that that levy and several other levies was to encourage the French

King in whose kingdom was several bishops of Ireland, clergymen and others whose business it was to provoke the King to bring an army to invade Ireland whenever time should serve.

Some of the Dominicans freely transported themselves. On 13th December, 1678, the Council wrote to Sir William King at Limerick.

As to the two Dominican friars who surrendered themselves since the Proclamation and are now committed by you, it is the Council's pleasure that they be secured until there be an opportunity of transporting them with the Titular Bishop of Limerick and the other friers mentioned in your letters, which you write will be sent away next week and it is our pleasure that the persons who harboured them be proceeded against at the next Quarter Sessions.

The two priests who were celebrating mass within the Citty of Lymerick if they appear to be secular priests and have not exercised any forraine jurisdiction, that they be dischardged yet they bee not hereafter permitted to celebrate mass within the garrison there.

Others were not so compliant. Felix O'Connor, for instance, Prior of Sligo, died in prison there after some months confinement. From Cork gaol Constantine O'Keefe, Provincial of the order in Ireland, petitioned government for release.

COUNCIL TO LORD SHANNON AT CORK 7 MARCH 1678[9].

Whereas a petition was lately exhibited at this Board in the name of Constantine Keeffe a Dominican Frier alledging severall infirmities whereby he is unable to transport himself according to the Proclamation. We require of you to inform yourself of that matter and to make return to us.

Many after hiding for a considerable time returned to their former haunts and were captured.

COUNCIL TO THOMAS LOVELACE AT ROSCOMMON 17 SEPTEMBER 1680.

Your letters of the 28th of August concerneing the apprehending of Michael Connor pretended prior of the order of Dominicans at Roscommon, Bryan McDermott and John Keogh friers and David Gawan secular priest, were communicated to this Board, it is our pleasure that the said persons be kept in safe custodie.

COUNCIL TO THE MAYOR OF GALWAY 17 SEPTEMBER 1680.

Your letters of the 8th instant concerning Dominick Linch fitz Stephen a regular priest of the order of St. Dominick who is

apprehended and in gaol were read. We require you that the said Linch be kept in strict custodie.

Human nature is often frail:—

SIR JOHN DAVYS TO SIR WILLIAM KING 2 NOVEMBER, 1680.

Whereas etc. we require you to inform yourself of the health of Dominick Lynch who, as he says, has considerable discoveries to make.

When the terror of the Plot was subsiding a Dominican bishop of Elphin, Dominick Burke, began in hopes of better times to build an altar in their old abbey of Athenry.

ORMOND TO THE ARCHBISHOP OF TUAM 3 JUNE 1681.

We being given to understand that there is erecting in the Abbey of Athenry a monument or tombe for one Bourke titular Bishopp of Elphin with inscriptions thereon of his severall titles and dignities, you are to cause enquiry to be made and if you soe find, a stop is to be put to the work.

ORMOND TO THE ARCHBISHOP OF TUAM 28 JUNE 1681.

We finde by your Lordshipps letters there is already not onely a monument but an alter very stately erected of marble and stone in the Quire of the said Abbey, and whereas the magistrates have neglected etc. you are to cause the said monument if offensive to Protestants, to be taken down.

Again when Arran, Lord Deputy, enquired of Ormond what he was to do regarding a Dominican at Burrishoole and some more recently settled in Galway, Ormond replied 30th August, 1683.

There is nobody here at present from whom I can properly receive advice, much less directions—the King being at Winchester—how to advise you to proceed with the senseless and extravagant insolency of the friars and nuns who are guided by them at Galway and Burrishoole. . . . . I am of opinion that if it be not too late you should sent orders from the Council to the Judges that go the Connaught circuit to have the mad friar at Burrishoole indicted upon the statute in force against such as shall be found in the act of saying mass and prosecuted to the utmost extent of the law. If the assizes be over I conceive it may be done at a Quarter Sessions.

The nuns are silly creatures yet they must be dispersed and those who gave them a retreat ought to be sought after. But those priests and friars who governed the ceremony of admitting a new nun ought be prosecuted as far as the law will reach, and if some of the lay assistants of the best quality at the profession

of the nun and at the mass at Burrishoole were also prosecuted it will be better. When I mention the dispersing of the nuns you will understand my meaning extends to the friaries also.

A week later, September 8th, Arran was able to assure Ormond that already the friars had been dealt with.

There will I hope be no further trouble given us here by the priests friars or nuns, for those in Burrishoole have been tried and found guilty at the assizes and fined at £50 a piece, which they are to pay and find sureties of their good behaviour before they can get out of gaol, and those about Galway are dispersed and run away. This way of proceeding of the magistrate, I conclude will deter others of their persuasion if they are not quite out of their wits.

Again a little later his anticipations were fulfilled.

The priests etc. begin to be more discreet than they were since the insolencies of those at Burrishoole have been so severely punished so that I think your Grace may safely let that matter rest. My Lord Primate will send you the particulars of their trial.

The Franciscans occupy a large space in the official correspondence.

COUNCIL TO ROBERT ELYE AT CARRICK 25 NOVEMBER 1678.

Your letter concerning the apprehension of Edmund Butler pretended Guardian of Carrick was communicated to his Excellency and their Lordshipps, who command me to acquaint you that he is to be continued in safe custody.

COUNCIL TO THE MAYOR OF CLONMEL 6 DECEMBER 1678.

We have received information that one Rowland Comyne a Popish Priest is secured in that town by Lieutenant Bellamy and that he finds him a decrepitt infirme man neere foure score yeares of age. We think fitt to inform your selfe of the said Comyn's condition and if you find him soe disabled as hee cannot transporte him selfe and that he bee a Regular Priest you take good security for his departure out of the kingdom within some certain time to be lymited by you.

We find by your lettres of the 27th of November last you have comitted to Gaole one Edmund Butler a ffranciscan frier and one Andrew Louder of Carrigg a Secular Priest. As to the Secular Priest hee being not within the intent of the Proclamation we think fitt you give orders for discharging him and as for the frier wee did uppon intimation of his age and weaknes give order that he should continue in safe custody until he should be in a condition to travell, and did require good security for his departure within a certain time.

COUNCIL TO CHARLES COLLIS AT SLIGO 24 MAY 1680.

We find you have lately seized on two friars in the Convent of Ballymote and secured a greate library and the friars vestments in the said Convent and as we have given orders for the payment of the Reward for apprehending the regular popish clergie soe wee require you that you take speciall care that the library and vestments be secured, and that you continue the friars in custody.

COUNCIL TO THE SHERIFFS OF GALWAY TOWN 6 DECEMBER 1678.

We find by your letters of the 26th of November you have apprehended two popish priests but you do not mention whether they be regulars or seculars. If regulars we require that they be secured until there be an opportunity of transporting them, but if seculars they are to be dischardged.

ORMOND TO SIR GEORGE RAWDON 3 JUNE 1681.

We pray and require you to cause diligent search to be made for John O'Neale, Guardian of the ffranciscan friers of Armagh. We require you to have him apprehended and examined upon the matters menconed in fflorence Wyer's examinacon.

Occasionally the fidelity of his Majesty's servants in pursuit of the friars was not above suspicion. For instance, in a letter to Ormond, September 28th, 1680, we find that Sir Peter Cosby issued a warrant to the gaoles of the Co. Kerry to set at liberty Friar O'Keeffe committed for the Plot which warrant purported to be by licence of the Privy Council. On learning this an order in Council was made that Cosby be put under arrest and committed to Dublin Castle. Again :—

COUNCIL TO RICHARD FRANCIS AT BALLYLEAGUE 21 JANUARY 1678[9].

Your letters concerning Daniel Carter and the Friars of Timoleague were read. His Grace and their Lordshipps doe well approve of your diligence in binding over the persons who pretended the takeing of the said Friars. If they produce not the friar we require that you cause the said persons to be presented at the Assizes.

COUNCIL TO SIR WILLIAM HAMILTON 17 MAY 1681.

Whereas Con Magennis hath not given any account of his taking Bryan Magoirck and others but under pretence as we are informed apprehended severall popish priests and dischardged them for money, we require that you cause the said Magennis to be apprehended.

Again Lord Clare reports about the Guardian of Quin, 18th January, 1681.

I know Brady to be the most eminent, zealous and most knowing man of his order in this kingdom, and that nothing of the papists' designs here could be hid from him. Had he not an opinion my cousin Donogh O'Brien to be a man that loves his quiet, he would have told him more; his work being to be carried on only by desperate fellows.

Ormond replied that if Brady was still in the country it would be Clare's duty to have him apprehended. But he had his suspicions of his correspondent's sincerity. Clare now writes that there was no use in arresting Brady.

LORD CLARE TO ORMOND 11 FEBRUARY 1681.

I find that the friar Brady is still in this kingdom, I have employed people to apprehend him. But if they do take him I know it will not be to much purpose as to any discoveries he will make for he will sooner burn than discover anything which may prejudice the interest of the Roman Catholic religion.

Many petitions were sent in to be dispensed from transportation. A few examples may be given *in extenso*.

To his Grace James Duke of Ormond Lieut Generall and Generall Governor of his Maiestie's kingdom of Ireland and the rest of his Maiestie's Privie Council.

The humble petition of Laurence Tancard a ffranciscan fryar Humbly sheweth That your Petitioner taking notice of the severall proclamations lately issued for those of his profession to depart this kingdome by a limited time would with all submissiveness give obedience thereto hee being seaventy two yeares of adge and continually troubled with many infirmities by reason of which he has not beene able to goe out of his chamber these seaven moneths past. Your Grace and this honourable table will be pleased to take to your consideration that your Petitioner for not obeying the Nuncio in Kilkenny who excommunicated all those who sided with the peace of '48, was at his going vnto Rome cast into prison where he remained for the space of fourteen weekes and was in great danger to be sent vnto the Gallies and that also for subscribing to the Remonstrance he suffered as much as any others. Further your Grace and this honourable table was gratiously pleased on my former petition to graunt me a reference to Doctor Vallor for whom I have sent above forty times but never could have the happiness of his visitt.

His Humble request to your Grace now is that with the eies of pitty and compassion he may be looked upon in the sad condition he is in and that he may during the short time he has to live by the course of nature be dispensed with from goeing beyond sea according to the said Proclamation but that hee may live heere in Dubline among his few frinds who may afford him some charitable relife and comfort. And he as in duty bound will ever pray. LAURENCE TANCARD.

For my Lord Duke of Ormond Lord Liftennant of Ireland the humble petition of Antony Nugent poor Capucin.

Humbly sheweth That your Petitioner was dispensed of the two last proclamations by the mediation of his noble friends my Lord of Grannard and Sir Theophilus Jones uppon the notice of preserving the English in the last rebellion against which I have preached. Your Grace may call to mynd how my Lord Moore did send me with a letter of the danger of Tredath [Drogheda] and this with hazard of my leef when none else would undertake the danger. Your Grace did employ me with a letter in Westmeath to the sheerif. I am very ould and sicke. I might offer other motives but I leave all and my own concernes to your gratious consideration and I will ever pray etc.

ANTONY NUGENT.

There is no reference on these petitions, but sometimes a temporary respite was granted.

To his Grace James Duke of Ormond etc. and to his Maiesties Privy Councill.

The humble Petition of Dominick Martyn an Augustinian fryer humbly sheweth vnto your Grace and Lordshipps that your Petitioner was willing pursuant to your Graces and Lordshipps Proclamation to transport himselfe out of the kingdom and would doe so accordingly had his severall distempers permitted him. That ye Petitioner is three score and nyne yeares of adge and has been for sundry yeares past so unwieldly that he was and is still found to keepe his bedd as by Physitian's certificate to that purport hereunto annexed may appeare.

May it therefore please your Grace and Lopps to consider your poore Petitioner's adge and infirmitie and in regard that he is willing to enter security before any Justice of the Peace of the Countie of Gallway for his good behaviour that your Grace and Lopps may be pleased to grant him leave to remaine in the kingdom that thereby he may take the libertie of breathing the air for health, if his infirmitie will permit him, without being molested. DOMINICK MARTYN.

[Endorsed] Ordered that the Petitioner do with good security before the Mayor of Gallway acknowledge a recognisance in the

sum of two hundred pounds, to personally appear within ten days before the Lord Lieutenant or other Chief Governor, and shall in the meane time demean himself as a dutiful and loyal subject and upon certificate of the Mayor of Gallway of such recognisance we are pleased that the Petitioner be permitted to remain in this kingdom until further orders notwithstanding the Proclamation.

———— 9 July 1680.

Again :—

ORMOND TO THE GOVERNOR OF KINSALE 18 DECEMBER 1678.

By your letters to the Earl of Ossery concerning one James Calverly a Regular priest of the order of St. Francis and finding by his application to you that he is so wake and sicke that hee cannot transport himself at present, you are to take good security for his departure out of the kingdom within six months of the date hereof.

COUNCIL TO THE GOVERNOR OF KINSALE 20 JUNE 1679.

By your letters concerning one James Calvarly a Regular priest of the order of St. Francis who had formerly a lycence to continue in this kingdom for six months and it appearing by your said letters that you took a Chirurgion with you and went to him and found him in such a languishing condition by a consumption, that he hath not been out of his bed for three moneths neither is like to be till he be caried to his grave, you are to take good security for his departure within six months.

More convincing reasons than ill-health were occasionally pleaded :

COUNCIL TO GEORGE PHILLIPS AT DERRY 21 SEPTEMBER 1680.

Your letters of the 14th instant concerning Paule Gormley a ffranciscan friar now in gaol at Derry were read. You are to examine him concerning the Popish Plott and to give him an assurance in his Maiesties behalfe that he shall not onlie be sett at libertie but alsoe be rewarded according to the meritt of his discovery.

Six weeks later (2nd November) the Council wrote that Gormley was to be sent to Dublin with all speed. He proved however a sorry witness. He first revealed the manufacture of evidence by Hetherington, Shaftesbury's agent, and next at the trial of Archbishop Plunket, came forward to testify the malice of his fellow-friar Moyer, and that the archbishop was concerned in no plot but did more good in Ireland than harm.

Whether as informers or as invalids, the number permitted to remain in the country was small indeed. Ormond replying to some charges on this head, writes 4th May, 1679.

It is true that some regulars were permitted to stay, and they are not five in the whole kingdom, at least I think so, and those are such as by reason of age and physical infirmity could not be transported, or such as would be worse used in any popish country than the law can use them here, by reason of their declaring against the Pope's power with Peter Walsh. To force such away would show more inhumanity than prudence.

Even when the Titus Oates' frenzy had spent itself the pursuit of the friers still continued. The parson of Innishowen, John Humble, writes to Hopkins, bishop of Derry, 24th November, 1682.

Pursuant to your Lordship's order I have made enquiry into the late confluence of the Romish clergy, which consisted of regulars as well as seculars. They held a formal visitation and paid their accustomed dueties to one Manus O'Merisan as their superior, and vicar general. There is a sharp dispute and contest betwixt this O'Merisan and Father McGorkey (the person I told your lordship was formerly in my Lord Massareenes custody for words of reflection as competitors for the supremacy). The inferior clergy pretend to constitute their superior by their own election and by this artifice and evasion think to secure themselves from the penalty of the law for extolling of and exercising foreign jurisdiction. They have their monthly assemblies, and what may be the production of such dangerous conventions, if not reasonably restrained is not hard to conjecture, the fatalities of former times sufficiently demonstrating to us the sad results thereof. There are many friars among us particularly Father McColgan, Father Hegarty, Father O'Dogherty (there are two of that name) with some others. I hope your Lordship will take this into your serious consideration, and make some essay to redress the dangerous irregularities of these sort of men who are indefatigably industrious in all those methods that subtilty and malice can suggest to effect the ruin of our poor afflicted Zion.

The bishop in enclosing this letter to Primate Boyle complained of the neglect of the Justices of that district, an observation in which the primate entirely concurred. But three weeks later the bishop was able to send the satisfactory intelligence.

Our new sheriff Mr. Benson hath apprehended one of those troublesome friars your Grace hath heard of, and assures me he is in pursuit of more. Captain Cocken hath pawned me his word

that there shall not be a friary left in that county, and because I know him an intelligent and active man I take his word for it, and shall from time to time give your Grace an account of what is done. The friar's name now taken is John McColgan superior of the Convent of Derry. I humbly beg your Grace's blessing and commands.

From the other end of the country we learn that the Protestant clergy were equally active. Roane, bishop of Killaloe, and the Primate wrote to Ormond about the Clare friars. The latter in a communication to Arran, Lord Deputy, 14th November, 1682, says:

I know so much the temper of that sort of people that they are easily raised to insolency upon the least appearance of indulgence to them and therefore it may be fitt to fall upon the first you can light on, with severity. What was writ by the Bishop can be no secret, and if totally neglected may one time or other, be made ill use of, therefore if there be a convent in those parts as I believe there is, let as many of the friars as can be found be apprehended and treated according to the Proclamation, and this being done without special direction by the government there, will be best.

Though the full stress of the storm was felt by the religious orders it is not to be supposed that the secular priests passed unscathed. There were plenty miscreants who for personal spleen or love of gain or to escape the penalties of their own crimes, were ready to trump up stories of treason against them. And there were not a few such as Orrery and Jones, bishop of Meath, to whose nets everything was fish, who in conjunction with Shaftesbury and the leaders of "the Protestant Parliament" were straining every nerve to implicate the Irish clergy.

Orrery writes November 29th, 1678:

The Mayor of Cork having sent me the deposition of a soldier of the garrison that went formerly to mass but now is an officer's servant and mustered, that one Garret Fitzgerald a Popish Priest had since August last in his hearing often taught his parishioners that the King of England was only King of the Protestants of Ireland, but the King of France was King of the Papists of Ireland, I sent him to gaol.

The same month he asks the Council's directions as to Maurice Condon a popish priest whom he has arrested. On December 10th, he is earnest to apprehend a Romish priest "who is entrusted with most of their secrets and can if he will discover much." Ten days later the priest was arrested.

I have spent most of the afternoon yesterday, examining the priest Corrie Meehan, and after very long examining him and telling him my charge he positively denied all. I have this day sent him to Cork gaol with a constable and a guard.

A little later upon his report directions are given to ascertain if the six persons landed in Kinsale from Nantes are in popish orders, and if so to transport them at the earliest opportunity. Again the informer Henegan has advised the arrival in Kerry of two popish priests from Paris "habited like gentlemen." One of these escaped in a creek near Ventry at which harbour Orrery's men were watching; the other they are still on the look out for. Information of treasonable practices was quite unnecessary since any assemblage for mass might be construed as a popish meeting and those present at it, dealt with according to the proclamation.

COUNCIL TO THE SOVEREIGN OF ATHY, 2 DECEMBER 1678.

We have received information that on Sunday the 24th of November last there was a great concourse of people in and neare Athy, and there were about 1,300 persons assembled to heere Mass. Wee require you to inform yourself of the number soe assembled and their conditions and qualities and the names of some few of the principall.

The Sovereign replied that only three hundred were present, mostly parishioners, those of greatest consequence being Edmund Dunn, priest, William Smith, Michael Smith, Richard Hoey, and another member of the corporation. The Lieutenant in command added in a further communication that the size of the congregation was due to "the apprehension that mass would soon become scarce, and soe nobody would omit it while it was to be had." Mass, in truth, in the towns was soon to become scarce. The Council, April 4th, 1679, sent the following mandate to the several mayors and sovereigns of the cities and towns.

We are informed that contrary to the Proclamation of 20 November 1678 greate and unusuall numbers of the Popish religion doe meete and assemble themselves within divers of the Cities and Towns Corporate of this Kingdom, to exercise their religion, we require you to take care that such meetings within the walls and liberties thereof be dispersed and dissolved, and that you do not permit any popish services to be publickly celebrated within the said Towns, Cities or liberties or suburbs thereof.

By the following month Ormond was able to report of Dublin, "There is not one mass-house left unsuppressed in this city." Not however without difficulty, for he writes to Ossory, 12th April:

There happened some disorder at and after the suppressing one of the mass-houses in this city. One of the Lord Mayor's officers struck a priest as he was kneeling at the altar in his ordinary clothes, but the officer being ignorant that other vestments are necessary to say mass in, thought he was then saying one, which provoked him to that rudeness to the priest. The blow provoked the priest to say that if Christ were Christ he would avenge the abuse, or words to that effect. In short that night when it was dark the officer was assaulted by four or five men, and much bruised and wounded and we are by proclamation and reward endeavouring to find out the persons that did it.

The suppression of the mass-houses long continued.

FRANCIS MARSH, ARCHBISHOP OF DUBLIN TO ORMOND, 3 FEBRUARY 1685.

Some complaint hath been made to his Majesty that the chapels allowed to the Romanists here in Dublin have been shut up by me. I know not nor ever heard of any chapels allowed them though some such public houses have been overlooked and neglected by the government by connivance only as I conceive. So have also many of the public meeting houses of other Dissenters. [During the Dissenters plot of 1683] the Earl of Arran and Council thought fit when the laws of England were awakened against them to put some check upon them here also, and because without great clamour and obloquy they knew not how to distinguish between one Dissenter and another, they thought fit to restrain all. I sent therefore for the heads of the Romish Communion and for such reasons as I gave them I must, to their commendation, say they readily complied and shut up their doors where they before publicly met. Thus they continued a good while and I believe all the conventicles in Ireland were for a while suppressed. The first I heard who opened their doors were the Papists and one Mr. Fitzgerald preached publicly here in Dublin in his cap and surplice and, as I was told, published indulgences. I sent for him and he promised to do so no more. I heard afterwards that several other priests in this town had opened their shops. I sent therefore to one Mr. Wesely [appointed bishop of Kildare 1683] a fair and discreet man and I told him, which is truth, that I believe they could do nothing more grateful to the fanatics. The gentleman was so reasonable to apprehend the case, and if he did give order to forbear their public assemblies it was voluntarily done without any other force than of reason and expediency.

The moderation of the archbishop's language it may be observed was due to the fact that a few months later there would be a Catholic on the throne. This indeed tamed the hearts of fire of the persecutors generally.

LONGFORD TO ARRAN 24 AUGUST 1683.

Before I left Galway being invited by the Irish merchants to a dinner I took occasion to represent the folly and indiscretion they were guilty of to have a public priory and nunnery so near the town, and four public mass-houses in the town. I acquainted them also of the danger of it because it was against the law, and in contempt of the late proclamation and the madness of their clergy who flock over now would inevitably draw on mischief upon them. They thanked me for the friendly intimation and promised to take a speedy course in it. And accordingly the next morning they came to me and assured me the priory and convent should immediately disperse, and there should be no more public mass-houses. But they hoped they might have the exercise of their religion privately in their own houses and desired me to interpose with the Mayor that he would not disturb nor trouble their secular priests which were not within the proclamation. I spoke to the Deputy Mayor who will give your Excellency an account how far they perform their promise.

SAME TO SAME 30 AUGUST 1683.

I gave your Excellency an account how readily the Popish party at Galway complied with the suppressing of their public mass-houses and dispersing the convent and nunnery. In Limerick I had discourse with my Lord Bishop and the Mayor for suppressing both the conventicles and public mass-houses and they promised to do it effectually very soon.

The insolence of the friars and priests in re-establishing themselves in Kilkenny was the subject of angry correspondence. It was Ormond's own town and his Protestant character was at stake.

ORMOND TO ARRAN 2 OCTOBER 1683.

I am informed that the insolence as well as indiscretion of the regular Popish clergy was grown to that height that they were building or fitting up no less than four chapels at Kilkenny, and that they persisted in that folly though advised to the contrary by some more sober men of their own religion. It may therefore be fit for you to send to the Bishop of Ossory and perhaps to the Mayor of the city to let them know you are so informed and desire them to take a care to prevent it as also the celebration of mass within the walls of the town. This may

be a greater kindness to them than they deserve. It may perhaps be better to let them go on till they have laid out the money some fools have given them, and then to dislodge them.

ORMOND TO ARRAN 27 OCTOBER 1683.

They were friars that I told you I heard were fitting four chapels for themselves within the city of Kilkenny. There are besides one or two more parish priests who have still been tolerated to say mass in the suburbs. If those presume to draw congregations within the walls they ought to be suppressed as well as the others, and I desire you would take care of this more particularly than in other places, because the town is mine and my residence.

Ormond's half-brother, George Mathew—a strong Catholic—was blamed for the toleration in Kilkenny.

ARRAN TO ORMOND 14 NOVEMBER 1683.

My Uncle Mathew showed me your letter to him of the 8th instant. It was high time for him to come to town, for the indiscretion of the Irish clergy at Kilkenny was discoursed of in this town much to his prejudice, of which he was so sensible that I hear he has got some person to prevail with the regulars to disperse, and I shall take care that the like folly be not committed any more.

It is not to be supposed that the suppression of the mass-houses was confined strictly, in accordance with the proclamation, to the cities and corporate towns. The official correspondence shows that the villages and even the open country was not always safe for the celebration of mass.

COUNCIL TO THE SHERIFF OF CLARE 4 MAY 1681.

There is one Richard Gillareagh Popish priest of Killrush who as wee are informed did lately take the bouldnes publiquely to celebrate mass neare to the Church doore of Kilrush and that although he was forbidden the same by one of the Justices of the Peace, yet in contempt of his Maiesties authoritie he persisted to celebrate mass there and used unfitting expressions to the said Justice of the Peace. We require you to cause him to be apprehended and committed to safe custody.

And in case any other popish priest doe publiquely celebrate mass there, or that those of the popish religion do assemble in any great numbers within the said Countie we require you to disperse them.

COUNCIL TO HENRY BOYLE, CORK, 4 MAY 1681.

After our hearty commendations, it appearing unto us by the examination of Robert Cole, gentleman, that the Papists doe

in great numbers meete at Masse-houses in the Baronies of Barrymore and Imokelly we require you that the proclamation of 20 November 1678 be put in execution and let the Sheriff and the Justices of the Peace know that if they had done their Dueties, the unlawfull meetings of the papists might have been prevented.

COUNCIL TO WALTER HICKMAN 3 JUNE 1681.

By the Examination of Robert Cole he says that there was since Michaelmas last a newe Masse house erected neere the parish church of Killeenchoola in the County of Clare, you are to inform yourself of the matter and make return to this Board.

On the arrival of Shaftesbury's agents early in 1681 to work up the Plot the raids on the priests were resumed. The Mayor of Youghal having reported that certain papers were found in possession of Sheehy, a popish priest, he is to be put under bonds of £200 to appear within ten days at Dublin Castle for examination. On same date, 4th January, 1681, warrants were sent to the sheriff of Limerick for the apprehension of Teige O'Coffy, parish priest of Oola, Teige O'Hea, parish priest of Iough, and Connor O'Coffey, parish priest of Doon. A little later Sir William Tichbourne was ordered to arrest Manus O'Quinn, parish priest of Fews, and Connor Maginness to arrest Bryan O'Hellin, parish priest of Muckney, Co. Monaghan. But this extraordinary time will perhaps be best realised from the proceedings of James Geoghegan. Originally a Franciscan, he had been unfrocked and degraded for misconduct. Making his way to England he renounced the errors of popery and was received into the Established Church by the bishop of Durham. In due course he appeared as a witness for the Popish Plot before the Privy Council. On 6th October, 1680, he received a mandate from the Council to proceed to Ireland in order to make arrests there of the principal conspirators known to him. Landing in Youghal a month later, he swore informations wholesale against the Waterford gentry and clergy. His behaviour however was so outrageous that the Mayor of Waterford had him arrested and sent to Ormond. But as a passport, an order from the Privy Council, and a letter of introduction from Lord Sunderland to Ormond himself, were found on him, Ormond had no alternative but to provide money, and a guard of horsemen to enable him to carry on his work of arresting Popish traitors. From the informations sworn by the troopers and others we gather the following:

James Fitz Gerald being sworn etc. 22 December 1680, sayeth. That James Geoghegan formerly a ffryer came to his house at Maddinstown the 11th instant in a violent maner with eight horsemen and a piper playing before him late in the evening and clapt a Carbine to the brest of this Examinate's wife demanding where her husband was, thence went to Athy and returned the next day. Presently there came in a priest guarded by one of the horsemen (*i*) and the said Geoghegan asked this Examinat whether he would be bound for the said Preist, who refused soe to be. This Examinat further saith that the Preist was then released by the said Geoghegan, paying him 32s 6d; and a Challice and box of Oyle was delivered back to the Preist on payment of the money.

This Examinat further saith that said Geoghegan on or about the 16th Instant at Dunnadea took from him a nagg, saddle and bridle on pretence that hee looked like a young ffryer, which horse hee, the said Geoghegan sold for a Guinney tho worth three pounds to a horseman at Athy.

William Lowfield, one of the troopers, describes further progress.

At the house of Widow Ledwitch at Clonsilla we arrested Father Ledwitch and seized a challice and vestments, thence we went to Leixlip where the said Geoghegan dined with Mr. White and forbid him to harbour any preists, thence to Kildrought where we seized Father Brown, thence to Maynooth. At Maynooth the said Geoghegan drew his purse wherein was gold and silver and showing it to Brown, the Priest, said, look hear you Rogue, if you would doe as I doe you will not want for Gold or Silver. At Kilcock the said Geoghegan proferred to sell the said challice but none would buy it, and then he left the said vestments with a woman at the sign of the Earl of Kildares Arms to keepe till his return. Thence we went to Tecullen or some such name where was a convent, and the said Geoghegan seized on an old man who hee said was a frier but uppon the intercession of some of the women of the towne, hee left him behind him with the Constable and the said Geoghegan did likewise seize at Tecullen some vestments belonging to a priest but left them behind him.

On Friday night at Kildare hee lay at an Inn and directed the Horsemen to bee with him by 7 o'c in the morneing, and accordingly they attended him from that howre on horse backe vntill about 3 or 4 a Clock on the afternoon, all which time hee the said Geoghegan was drinkinge with severall persons of the Towne and had a piper playing to him.

From James Fitz Gerald's deposition we learn the fate of the priests.

(*i*) This priest we learn from other informations was Thomas Archbold.

Mr. Skinner a Justice of the Peace told this Examinat that Geoghegan brought before him two priests Browne and Ledwith whom he accused of treason and the said Mr. Skinner sending a Mittimus to the Constable to carry them to Gaole the said Geoghegan took the said Mittimus and blotted out the name of Ledwith and dismist him, and received forty shillings for his soe doing as the said Ledwith told this Examinat.

A further report of Benjamin Barrington, William Barker and others of the troop concludes the record of rascality.

Tuesday 14 December 1680. In the town of Lea Mr. Geoghegan seized one he called a Preist who was released by him upon Baile given for his appearance, and from thence he led us that night to Mountmelick being about seaven miles.

Wednesday 15 December. In the morning we went to one Daniel McDaniels house neare Mountmellick where was found a very Rich Vestment and other materials belonging to a priest, which vestments he seized on and gave into our custody where they still remain. We came from thence to Tullamore and rested, being distant some three miles from a Fryery upon which Mr. Geoghegan had a designe as he told us, but when we came thither all the fryers were gone and nothing to be found but a few bookes which he caused to be sold to Mr. Tharlton of Killiegh for fifteen shillings.

Saturday 18th December. Wee came to the Lady Tuites house and that night having taken upp severall guides, we came to a Fryery which was well stored with Butter, Beefe, Beere, Corne and other provisions but the fryers were all fledd away, and there Mr. Geoghegan caused our Guide to break open chests and Trunkes whereout as we judge he took £20 or £30 saying it was a free prize, and that if he could find out the poor he would give them the corne belonginge to the fryers.

Throughout all this period none of the clergy, regular or secular, were pursued with such ferocity as those "exercising ecclesiastical jurisdiction by authority of the Pope of Rome" that is to say archbishops, bishops, and vicars-general. Hence we are able to trace the fortunes of most of the rulers of the Irish church in the government correspondence.

Philip Draycot, parish priest of Drogheda and vicar-general of Armagh, was arrested early in December 1678.

COUNCIL TO THE MAYOR AND SHERIFFS OF DROGHEDA 13 DECEMBER 1678.

Upon perusal of the Certificate from you dated the 5th Instant December concearning one Philip Dracott who is reported to have been a Jesuite and to have excommunicated persons in the

town of Drogheda, you are to inquire whether he be a Jesuit or belonging to any order, meanwhile he is to continue in gaol and is not to be permitted hereafter to celebrate mass within the garrison of Drogheda.

He evidently satisfied the authorities he was not a Jesuit and was released. November 10th however of the following year the House of Lords again ordered his arrest. His fellow vicar subsequently shared the same fate.

COUNCIL TO THE SHERIFF OF ARMAGH 5 JULY 1680.

We require you to cause diligent search to be made for Dr. Hughes a Popish Priest, that he be apprehended and secured and conveyed a prisoner to this city.

The Vicar-Apostolic of Derry and Raphoe was amongst the first seized.

COUNCIL TO JOHN LORD MASSAREENE 8 NOVEMBER 1678.

Your letters received. As to that particular relating to the letters or papers which may be found with Plunket the titular vicar generall or superior in the County of Londonderry, and the other popish clergy mentioned in your said letters, you are to make a list of them and any of consequence to be sent to this Board.

Sir John Davis, secretary to the Council, early in January, 1679, sent to the Bishop of Raphoe a transportation order with the instructions.

Send inclosed with all the speede you can together with Luke Plunket mentioned in it unto the sheriffs of Londonderry who are to putt in execution the contents of it.

It was not, however, always easy to ascertain who were or were not exercising ecclesiastical jurisdiction. Even when the services of some unfrocked friar or suspended priest were to be had, the resources of theology were used to outwit the law. If for instance, the priests elected their own superior, could he be said to exercise foreign jurisdiction? Or could a meeting of the clergy be deemed treasonable when government was notified and their representative invited to be present? The case of Bernard McGorke, Dean of Armagh, was long a sore trial to the magistrates, to the High Sheriff, Lord Massareene, the Protestant bishops and Ormond himself. When it was first submitted to the English Privy Council Sir Leoline Jenkins, Secretary of State, replied (21st January, 1682), "Currat lex." The law took its course; at the Spring

Assizes of Armagh McGorke was tried "for extolling foreign jurisdiction" and acquitted. The subsequent proceedings appear from the following:

HUGH ROWLEY J.P. CULMORE TO LORD MASSEREENE 24 MAY 1682.

This day Bryan McGuirke and three priests came here to acquaint me that McGuirke who is styled Vicar General of the Irish Papist clergy in Ulster appointed a meeting of his clergy at an ale-house near my house upon Friday next, and McGuirke told me that my Lord Lieutenant allowed them so to meet in order to the governing of their clergy but directed them to apply themselves to the next Justice to acquaint him of such meeting when he might send some to see and observe their carriage etc.

MASSEREENE TO HUGH ROWLEY 25 MAY 1682.

My advice is that you send for the said Bryan McGorke and require him first to shew any order he hath or may pretend to have from the Government; next that you demand of him what discharge he hath upon his last trial at Armagh assizes; next demand what certificate he hath of good and sufficient bail. If you find authentic and good certificates of these you need take none new. Send me the names of all both regular and secular priests that may be at the meeting you speak of, and do not let the regulars go till you have good bail.

Arran, lord deputy (to whom Massereene enclosed the foregoing for advice) sent a furious reply (30th May).

I find that Rowley is a Justice of the Peace but withal that he has not acted as the duty of his place required, for he knows or ought to know that there is a proclamation for apprehending all regular priests and a reward promised those that shall bring in any, and I hope that gentleman is not so ignorant but he knows that a Vicar General is one. Therefore if he does not secure that Bryan McGorke who he says told him my Lord Lieutenant allowed him to have a meeting in order to the governing of the clergy, I will look upon him as an asperser of the Government and will proceed with him accordingly. I do not altogether approve of your letter in answer to his. I am sure your Lordship knows that bail ought not to be taken for such contemners of his Majesty's authority as do stay here contrary to the proclamation.

A few weeks later Massereene writes in extenuation that he has got McGorke in custody, though the Justices at first were reluctant to arrest him as he exhibited his discharge at the Armagh assizes. He enclosed an examination of McGorke taken before himself and Sir George Rawdon 14th June, 1682.

Being examined why he did not upon the proclamation against all regular priests and friars, leave the kingdom, he says he is not intended in the same; that when Luke Plunket the former superintendent of the priests in the diocese of Londonderry, who was also Vicar General was transported upon the said proclamation, the priests of that place desired the Examinate to come to them and oversee them and be their superintendent or arbiter; but that the Examinate is no regular, that he is no friar but hath some sustentation from the rest of the priests of the diocese of Londonderry. He says he knew Mr. Black's house in the county of Armagh, and that he was several times with Oliver Plunket who used to meet there and at Kinard about five or six years ago. Being examined if he the Examinate were titular Deane of Armagh saith that he was tried and examined before about that, and was acquitted and will not answer more to that matter.

Being demanded how they had the confidence to go to the Justices and acquaint them of their meetings saith that he hath been a priest these twenty-two years, and that he knows it is always the custom for priests upon their meetings to send notice to the next Justices thereof. And being demanded what he said before Mr. Rowley the first time he came to him, saith that he desired to see three or four priests that were thereabouts, and if it were not displeasing to him that the Examinate would meet them there at an ale-house near Mr. Rowley's house; and saith that one of the chief reasons why he said so to Mr. Rowley was that he was afraid that some of the priests might falsely inform against him (the Examinate) if there were no Protestants among them at their meetings to hear what they said. And further saith that he spoke to Mr. Rowley to this purpose that there is nothing contrary to the proclamation in this business, and that if his worship saw there were anything against law in it that he (the Examinate) would give it over; that Mr. Rowley said how can that be but it is against the Proclamation. Then the Examinate answered that he was a superior or superintendent of the priests' making, and that it was told the Examinate that his Grace the Lord Lieutenant upon a doubt or petition proposed to his Grace whether those superiors or superintendents made by the priests are under the lash of the Proclamation or not, his Grace answered that they were not as Dr. Cusack told this Examinate. The Examinate further saith that Dr. Cusack also told him that my Lord Lieutenant was of the opinion it was better that the Popish priests of every diocese should make one of themselves superior over them than to have none at all; that the said Doctor is of the county of Meath, a secular priest, and that it was at Drogheda about two years ago and more that the Examinate heard it from the said Doctor. The Examinate further saith that he the Examinate hath not the English tongue

well, and if anything have dropped from his mouth before Mr. Rowley or now (he not being able to express his mind fitly in English) he hopes that no advantage on that account will be taken against him.

This put a new complexion upon matters, since Cusack, the bishop of Meath, was an acquaintance of Ormond. Arran contented himself with referring the case to the judges going circuit. McGorke though acquitted at the assizes continued in jail for another year.

SIR WILLIAM STEWARD TO ARRAN 13 FEBRUARY 1683.

That Maguirke whom your Excellency mentions was sent to Lifford jail for being titular Dean of Armagh and pretended Vicar Generall, and was by me bailed to the Assizes, he utterly disowning either title, and it being made appear before me that he has been already tried for the very same thing at the Assizes of Dungannon, Armagh and Monaghan and acquit at all, and that he is at this time bound by my Lord Massareene to appear at Derry assizes to answer the same charge. If after this any Justice there, is offended at his being bailed I doubt he would show more zeal than he does understanding. If when a man is cleared in one county he must be in jail in the next for the same charge without bail, he may be fifteen years a prisoner ere he can be freed. For at two assizes in the year he cannot in less time go through the thirty counties of the kingdom. After all I believe this Maguirke a great rogue, but if he were a devil he must have right. Docherty is not said to be a regular no more than he, his charge is acting under Maguirke, and I thought he was to be bailed of consequence.

There were only two bishops in Ulster, Tyrrell of Clogher and the Primate Plunket. Their presence was long connived at. The dismissal however of Shaftesbury from the Privy Council in October 1679, stimulated him and his faction to new activity. The results we learn in a letter from Ormond to Coventry, 30th October.

I received yours of the 21st of this month with the enclosed information and by that night's post sent orders to the fittest persons I could think of to search for and apprehend the two persons named in the information and shall give like orders concerning some others of the same degree and profession [i.e. Catholic bishops] as soon as I can have probable notice whereabouts they are harboured. I do not know of above seven or eight men of that sort in the kingdom and I think I can guess which of them are most like to have signed the paper of recommenda-

tion, if any such there was. But in case any of them shall be taken I doubt it will be hard to discover by them whether there was really any such paper signed by them or no.

The following will show the steps taken for the capture of the two bishops.

ORMOND TO SIR HANS HAMILTON OCTOBER 28, 1679.

It would be an extraordinary service to the King and of great advantage to me that Oliver Plunket, the titular Primate, and Tyrrell, the titular Bishop of Clogher, might be apprehended; and therefore it is that I recommend it to your utmost care and diligence presuming that no man can be more like to effect it than yourself; and the better to enable you I give you liberty to engage me for any reasonable reward to any that shall discover them or any of them to you, so as they may be taken or any one of them. The thing is of more than ordinary importance and therefore let me once more recommend it to your best industry.

SIR HANS HAMILTON TO ORMOND 1 NOVEMBER 1679.

Your Grace's of the 28th of October I received, in obedience to which I will leave no means unattempted to obey your commands, I am confident if David Fitzgerald [i.e. Plunket] comes to this country I shall hear of it. But I was about four days ago told by a popish priest who some days before had gotten induction to a parish from him, that he had left him at a certain place within seven miles of Dublin; that he had cut off his beard and hair and had got a light coloured wig and went by a feigned name which I have forgot for then I had not your Grace's commands. I have sent for the same priest and will get by discovery from him the name of the place he resided in then and for several weeks before and will by the next give your Grace an account of all. I am confident he keeps much, if not in Dublin, yet near it, I assure your Grace if he comes within his own pretended diocese I shall meet with him. I have laid out also for Tyrrell who if in this country [Co. Armagh] or Cavan will also be found. But his absconding places I know not so well as the others.

SIR HANS HAMILTON TO ORMOND 3 NOVEMBER 1679.

Since my last I met the priest I mentioned whom I told I had a desire to send a letter to Doctor Fitzgerald [Plunket]—in favour of the parish priest of the parish I live in [Carlingford] whom the said Doctor was turning out—if I might know where to send it to him. He told me that I (*sic.*) was confident that it would find him at the place he left him at, which is an ancient lady's house in a castle about a mile and a half from the Naul, near or in the road from Naul to Dublin, but could not remember

the lady's name. He told me that I must direct my letter to Mr. Meleady near the Naul (for he goes by that name). It is possible he may be there still, unless he have been alarmed from Dublin. I am resolved to send my parish priest with a letter about his own concern to find him out, for such can best do it; but I have laid out all his haunts in the whole diocese so that I am confident that he shall not come thither but your Grace shall have a good account of him. I have also laid for him in the Co. Donegal where he often lies quiet at a Papists house of my name.

Hamilton's clerical acquaintance whether wittingly or not was the means of locating the Primate; for on 6th December notwithstanding his disguise he was captured in Dublin. Ormond at once acquainted Secretary Coventry whose assistant, Henry Thynn, replied, 16th December.

Mr. Secretary being seized by the gout, commands me to acquaint your Grace of his receipt of yours of the 7th, which tells him of the seizure of Oliver Plunket but that you would forbear examining him till you had received his Maiesties orders. Mr. Secretary commands me to tell your Grace that he knows no other evidence against him than what has already been sent to your Grace; but that you may (if your Grace thinks fit) examine him upon any points that you judge most material for a further discovery.

Dr. Patrick Tyrrell however evaded his pursuers and after a year's unsuccessful search Owen Murphy, one of the agents employed to procure evidence, pretended that Tyrrell would come in and betray the Plot if offered a safe conduct.

Whereas information is given unto us by Owen Murphy that he understands one Tyrrell titular Bishop of Clogher can and is willing to discover the late Popish Plot to raise Rebellion against his Maiestie and his Government in this kingdom if he may have a protection to come in and give an account thereof to us. We do therefore take the said Tyrrell into his Maiesties protection for one month from the date hereof notwithstanding any proclamation commanding all Popish Bishops etc. We require all Mayors etc. to suffer the said titular Bishop Tyrrell quietly to come to Dublin and there remain to perfect the service above mentioned and to return into any part of the kingdom within the time granted him. ORMOND, 5 January 1680-1.

As Tyrrell had no information to give, he thought the glens of Monaghan and Down afforded better security than any Ormond could offer. He judged rightly though he was long in jeopardy.

COUNCIL TO HUMPHREY PERROTT, CAVAN, 28 JUNE 1681.

It is thought fitt at this Board that the letters directed to Edmund Rely prisoner in the Gaole of Cavan from Patrick Tyrrell be returned to you and that you examine Rely whether he doth know the said Tyrrell and of what calling or profession he is and if a clergyman whether he bee a Bishopp and of what place he bears his title and whether the titular Bishopp of Clogher be called Tyrrell. You are likewise to examine the said Rely concerning the great pacquett of letters said to be conveyed out of the Gaole.

The results of the inquiry do not appear, but it may be observed that O'Reilly was vicar-general of Kilmore diocese under Tyrrell its administrator, and that the missing packet would have afforded damning evidence of his exercising ecclesiastical jurisdiction.

The Carte Papers give many glimpses of the saintly Archbishop Plunket. Four days after his arrest Ormond wrote that as the charge made by Hetherington was unsupported, he forbore examining the primate. Secretary Coventry replied December 23rd, 1679.

We have nothing since or more of it [the charge against Plunket] than what I wrote you formerly; so that unless his papers discover some further grounds I doubt little will be got from him. But if your Grace think fitting to try him with any questions, it is left to your discretion and may possibly have the effect of making him believe we know more than we do, and beget some fear of continuing such kind of negociations [i.e. the alleged negociations with France.] And his very being in Ireland after the proclamation may sufficiently justify imprisonment and if need be a further prosecution.

Ormond again wrote to Coventry 10th April, 1680.

You may remember upon what information the titular Primate was apprehended and other Popish Bishops sought for, and that I gave you notice of the apprehension of the Primate, who has ever since lain in the Castle for no other reason (known to him or to any other but myself here) than his presuming to stay here in contempt of the proclamation. I have forborne hitherto to have him examined in expectation of some further light into the matter which is of such a nature that he will certainly deny his having any part in it, and then we shall want anything wherewith to convince him or draw any acknowledgement from him that may lead towards a discovery of the truth. I put you now again in mind of this affair because the person [Hetherington] from whom the first notice came is returned into England.

Meanwhile, however, unknown to Ormond a network of testimony was being woven round the Primate. Hetherington with two others, Bradley and Atterbury, had been sent over by Shaftesbury to work up evidence in support of Hetherington's story that Plunket and the Irish bishops were engaged in intrigues with France. Arriving in Ireland in March, 1680, they got into communication with Edmund Murphy, formerly parish priest of Killevy and precentor of Armagh, but then upon his keeping for having escaped from Dundalk gaol (where he was awaiting trial as a highwayman). The next witness they obtained was John Moyer (or Macmoyer) a friar who some years before had been cast out of his order, and was now a drunken vagabond. There were two others formerly parish priests in Armagh diocese, but long in disgrace—Callaghan and Tinan (or Heenan). The whole party proceeded to London where on 7th May a special Council was summoned to take their evidence. Ormond in a letter to Ossory had previously given his opinion of the witnesses.

> The discoveries now on foot in the north and west of this kingdom can come to nothing by reason of the extravagant villany and folly of the discoverers who are such creatures that no schoolboy would trust them with a design for the robbing of an orchard. My Lord of Essex's tool [Moyer] is a silly drunken vagabond that cares not for hanging a month hence if in the meantime he may solace himself with brandy and tobacco. Murphy is all out as debauched but a degree wiser than the other. The other fellow brought by my Lord of Shaftesbury to the Council [Hetherington] broke prison being in execution and now the sheriff or gaoler are sued for the debt. This is their true character but perhaps not fit for you to give of them.

On May 16th he writes of the archbishop:

> With yours of the 8th I received a summary of what was deposed by those the messengers carried hence; the next will I suppose bring us all they can say more at large with some directions to me what to do, if more be to be done. The titular Primate accused by them is not no more above them in gifts of nature than he ought by his place to be, and I hardly doubt so much, his life is I confess much more churchmanlike. This character I believe my Lord of Essex will concur with me in, his lordship having had much more conversation with him than I (*k*).

(*k*) Moyer after his suspension had denounced Dr. Plunket to Essex then Lord Lieutenant for exercising foreign jurisdiction.

But with the English Privy Council, the character of the witnesses was only dust in the balance. They having put their informations in writing (their language was not intelligible) set out for Ireland on the 14th May. The informations were returned to Ormond, who was ordered to bring Plunket at once to trial. As the treasonable acts with which the Primate was charged, were alleged to have been committed in the neighbourhood of Carlingford, the venue was laid in Dundalk, 21st June. This filled the approvers with consternation, for Moyer and Murphy were wanted in Dundalk on several charges, while the character of all four was notorious in the locality. Moyer wrote to Hetherington 1st June.

You know Sir you trobbled both mee and my company with faithfull promises of our safety, yett being now dischardged to prosecute after a fortnight that perverse Crumwell Oliver [Plunket] he prevails so much that in recompensation [i.e. revenge] of the discovery of his wicked Shifts, he authorized Dr. Hughes to cause that Gentleman Fr. Owen O'Donnelly to take possession of Fr. James Callaghan's parish, one priest Hagan in Edmund Murphy's, another unto Fr. Tinan's. As for my part I am excluded and dijected by all the world. I understand this Dr. Hughes that he may the better act against us, by a cunning way got some order under my Lord Lieutenant's hand, deceaving his Grace by surreptitious informations. We understand that immediately after this man's Tryall, we shall likewise be tryed by the Common Law, which if so, you know by this grudge of Oliver's confactionists there shall not be wanting people that will sweare against us, as he found heretofore, alledging it to be highly meretorious to put such maledicted members against his holiness to death.

Again Moyer writes to Hetherington 2nd July:

Deer friend, make all the speede you can especially now when all our enemyes every where are in an uprore understanding that Dr. Plunket is to be tryed shortly. Yet they are much comforted knowing undoubtedly that he is to be transmitted to Dundalk where he has all his strong friends and faction and many that would undergo any death or danger to save his life least they should be hindered of what they wickedly did intend. I petitioned the last Council day to his Grace for a Protection, which was granted, and that Dr. Plunket should stand his trial in Dublin where the King's evidences would be more bold to appear. Of that I got no answer. Work imediately to procure

an order from his Maiestie to cause the said Dr. Plunket to be kept in Dublin and there to be putt to Tryall.

Moyer however and his partners need have no fear; the promoters of the Popish Plot knew their business too well. Jones, bishop of Meath, writes 1st June, to Colonel Maunsell, a cashiered officer now in the service of Shaftesbury.

Edmund Murphy a popish priest whose place of residence was in the Tory Quarters so as advantage was taken against him by one Baker and Smith living about Dundalk whereby to charge him with corresponding with Toryes. His having before charged them in like manner their interests prevailing so as to cast the poore man into prison when he was to have been tryed the last Assizes at Dundalk and had undoubtedly perished had he not seasonably escaped and put himself under the protection of Government as a prosecutor against the Popish Primate, Plunket. That which is herein desired is that his condition be presented to the King for his pardon, in which I am concerned as being to mee recommended lately by that honourable Lord and worthy patriot the Earle of Shaftsbury.

Ormond comments on this pretty story in a letter to Ossory 20th July.

The Bishop is not only a spitefull but false Informer, where he says that Murphy was prosecuted after he had accused Baker and Smith, the cleare contrary is the truth to the Bishop's knowledge.

But all the same Murphy's pardon came. In his second move the bishop was not so successful.

HENRY JONES TO COLONEL MAUNSELL 3 JULY.

If Oliver Plunket the Titular Primat be tryed at the Assizes at Dundalk which hee and his favourers earnestly endeavour, all that business will probably come to nothing. That assizes is I hear on the 21st. Therefore must expedition be for orders to have the Tryall to be at Dublin the next Tearm where the King's Counsell may attend which will be wanting at Dundalk.

SAME TO SAME 20 JULY.

I doubt that the orders for hindering Oliver Plunket the titular Primate's tryall at Dundalke will come late; for the Assizes will be on the 22nd and the Judges were yesterday on their way thither. The Judges were Baron Hartstong and Justice Cusack. I doubt that few of the witnesses or evidence for the King will appeare there, partly not being themselves (they think) secured and chiefly doubting the issue of the Tryall in that place. Mr.

Lyndon is ordered to appear on that occasion as the King's Counsel to manage the evidence which would have been done by better hands on a Tryall at the King's Bench heere if that had been. I only recommended the business to Baron Hartstong's care as that on which all eyes are open.

The bishop's forecast proved true, he had probably taken steps to ensure it; for none of the witnesses appeared and the trial was adjourned. Two days later the English Privy Council on the application of Murphy and Hetherington recommended Ormond to have the trial at the King's Bench in Dublin. The next steps taken by the Shaftesbury agents are shown in the following:

COLONEL MAUNSELL TO HENRY JONES 14 SEPTEMBER 1680.

At the Council Board [London] Friday last, the two main things insisted upon was by what order were the Examinations taken at that Board copied, and copyes delivered to Primate Plunket. Also by whose order was the safe conduct granted for 300 of the Romish clergy to assemble at the Assizes at Dundalk. By Saturday's post last I am sure that your Lord Lieutenant received a reprimand.

SAME TO SAME, 26 SEPTEMBER 1680.

I understand by my Lord President Radnor that the tryall of Primate Plunket in England is mightily opposed by the Lord Lieutenant, or rather by the said Plunket, alledging that it is against law that any man for an offence comitted in Ireland should be tryed in England. My Lord President desired that I would get it under the hands of able Councell the precedents, and then he will move the King for to have the tryall here.

The precedents were duly made out, and the Lords of the Council, 6th October, directed Plunket should be sent over. Accordingly he sailed on 24th, reaching London five days later. On 4th November and subsequently he appeared before the Committee of Examinations. The impression which he made is described by two of Ormond's correspondents. Lord Arran writing 6th November:

Thursday and this day were taken up by the House of Lords in examining the witnesses concerning the Irish Plot. Murphy was the first examined and was the only witness that reflected upon you. One part was that the titular Primate told him he received money from you, which question being asked Plunket he utterly denied and said he had less encouragement from you

than the two former Chief Governers Lord Berkeley and Essex. Which I observed Lord Essex did not like. Another thing was that one Father Ronan Maginn would have made a discovery to you as the said Maginn told him, but you instead of hearkening to him, got him sent beyond sea where he died. He complained also of your usage in relation to Smith and Baker. David Fitzgerald gave great satisfaction to the House and was heard with more attention than anybody except Plunket who went beyond our expectation.

Lord Longford is more detailed.

Plunket has deceived all men living, for he told his tale with modesty and confidence enough, and without any manner of hesitation or consternation. When he was asked in the presence of Mr. Murphy whether he had not told him that your Grace had given him money, he denied it positively, and said he was so far from receiving money or any kindness from your Grace that he had received far less kindness and civility from your Grace than from the two precedent Governors my Lord Berkeley and my Lord of Essex, who had both given him money and been very king and civil to him, and it was unlikely he should tell Murphy your Grace had given him money if it had been so because he knew him to be his professed enemy for depriving him of his parish in which he lived scandalously, and corresponded with the Tories. In fine he told his story with such plainness and simplicity that he left an impression with the Lords to his advantage.

Yet their lordships two days later refused to read the Primate's petition.

Petitioner being very ancient and subject to divers infirmities, has great want of his servant [James McKenna] to attend him. Petitioner for the most part lived in Ireland upon the benevolence of others, and being brought to Dundalk last July where his trial was put off for want of sufficient proof, and having spent there his small stock providing severall witnesses for the defence of his innocence and for his own relief, he was ever since maintained and also brought hither upon his Maiesties charges. Prays to be allowed his servant and to be maintained upon his Majesty's charge during his imprisonment.

The "servant" we may safely assume was his confessor. On 10th November some insight is afforded into the motives which actuated the "witnesses for the King."

Captain Richardson Governor of Newgate informed the House that Plunket desired to come to the Bar to make discoveries.

. . . . Plunket on being brought and asked what he had to discover, said he had never written to any French Messieurs. He had had no transaction with Mr. Molune (*l*) except letters of civility. Earl Essex asked him if he were not with Mr. Molune he confessed he had [been]: it was to make Plunket and the other bishops of Ireland friends. Being asked if he knew not of any conspiracies, he said he knew something of it; that about a hundred times he was threatened to be killed. If he did prosecute the Tories, his life [was] being aimed at; he mistrusted that there was a plot against the English.

The Primate in truth was caught between the upper and the nether millstones. Government held him (in common with other ecclesiastics) responsible for the actions of the Tories in his diocese. On the other hand the Tories, who included some of his own degraded priests, threatened his life at the least interference with them. Now in the strange welter both the Government and the Tories were united to compass his ruin. Tories therefore were being eagerly sought for as witnesses, pardons and rewards being freely offered. Negociations were opened even with Redmond O'Hanlon the leader of the Ulster outlaws, upon whose head £200 had been set. We find in correspondence with him at one and the same time, the Protestant bishops of Meath and Clogher, a bishop's daughter and a bishop's son-in-law. But O'Hanlon spurned the offers. Owen Murphy therefore came over from England and fortified with orders from the two privy councils, organised a whole battalion of testimony. "There came the other day," Arran acquaints Ormond from London, 22nd January, 1681, "about twenty-five witnesses out of Ireland under the conduct of Owen Murphy." The end therefore was not far off. Though the Westminster Grand Jury on 12th February ignored the bill owing to the prevarication of the witnesses (*m*), and though these witnesses "split" upon one another, the Shaftesbury party were determined to carry through the Irish Plot. Three days before the trial, one of the witnesses brought over deposed:

This Informant, Eustace Comine sayeth that William Hetherington

(*l*) Dr. Moloney, Bishop of Killaloe, of whom *infra*.

(*m*) "The foreman of the jury told me they contradicted one another so evidently, that they would not find the bill." Burnet, History of His own Times, pp. 502-3.

told him severall times that those witnesses were not materiall witnesses to take away any man's life if they would get but right law. George Coddan told this Informant severall times that he had no material witness [evidence] against Doctor Oliver Plunkett or nobody else [has]. That he had received moneys from the treasury to go home, and his pass; he was stopped by some persons invention, is in town yet and he got more money from the treasury to bear false witness against some of his Majesty's true subjects. Harry O'Neil, a gentleman, and his two sons was stopped to swear against Doctor Oliver Plunkett and he and his two sons told this Informant severall times that they had no materiall witness against the said Plunkett. This young man Owen Moore told this informant that it was a thousand pittys to take Kayes or Knowls that was witnes, their word; that the only [means] that they depend upon to get their pardon [is] to swear false oaths. The two priests that were lately sent for Ireland told this Informant that it was a pity to believe any of these evidences, that it is clear they that was sworn [would be] brought to any good calling here should they know of any plot. This Informant sayeth that he is afraid of his life of Doctor Oates and Mr. Finch their vile invention, and begged his honour to secure them to the peace until such time as they will be judged before right law (*n*).

Endorsed. Mr. Eustace Comynge, recd. 3 June 81.

No notice of course was taken of this, some official subsequently adding "His nonsensical information designed to prove there were but rascally suborned evidence against Oliver Plunket who was executed in England." The Primate therefore was brought to "trial" on 8th June and sentenced to be executed at Tyburn the 1st July. In the interval he made a last appeal to the King.

To the King's Most Excellent Majesty.

The Humble Petition of Oliver Plunkett a condemned Prisoner in Newgate.

Sheweth. That your Petitioner on the sixth day of May last imediately after his arraignment sent two messengers into Ireland to bring over severall witnesses for your Petitioner's tryall on the 8th instant but through crosse winds they could not get to Dublin till the 19th following and the witnesses being dispersed in divers remote Countyes in Ulster and Leinster they could not possibly be gathered together in so short a time. That your Petitioner could not send for the said Witnesses before his arraignment, secondly because he was assured by severall

(*n*) Difficult to decypher and obscure, but sense given.

eminent Lawyers in Ireland that by Law he could not be tryed in this kingdom for crimes supposed to have been committed there. That notwithstanding your Maiesties Court of King's Bench unexpectedly overruled your Petitioner's plea without allowing his Councell to argue this point or granting him competent time (considering the accidents of wind and weather and distance of place) to bring over his witnesses. That your Petitioner being unexpectedly brought to his tryall destitute of all means to make his just defence and exposed naked to the malice of his accusers, desired only twelve days time for his witnesses to come over but was denyed by the Court alleageing it was only a pretence to gaine further time though your Petitioner protested and still protests before God it was no trick nor sham to evade or prolong his tryall but the reall truth of his case, there being severall witnesses ready to come over as appears by the Annexed Affidavit who would plainly make out the falsehood of the allegations of your Petitioners accusers and that their chief reason to swear against your Petitioner was his severity against them for their debauched and vicious lives and particularly for their corresponding with Toryes and proclaimed Outlaws in Ulster.

Your Petitioner therefore most humbly prayeth that your Maiestie may be graciously pleased in tender comiseration of your Petitioner's hard circumstances and unpresidented tryall to mitigate the vigour of Justice with your accustomed clemency and grant your Petitioner some respite of time till his case be further inquired into. And likewise to order that the Lord Lieutenant and Councill in Ireland to examine the witnesses, Records and Papers there materiall for your Petitioner's justification and make their Report thereupon to your Maiestie that it may appear how just and reasonable it is to pardon or reprieve your Petitioner and that your Petitioner's misfortune may never be made a leading case for others.

And your Petitioner (as in duty bound) shall ever pray etc.

OLIVER PLUNKETT.

The Humble Petition of Oliver Plunkett.

[Enclosure.]

John Plunkett maketh Oath before me that he this Deponent together with James MacKenna were sent by Oliver Plunkett now prisoner in New Gate, into Ireland to bring over witnesses for the said Oliver's tryall and accordingly this Deponent and the sayd James MacKenna went into severall Countyes in Ireland to bring the sayd witnesses to Dublin in order to their taking shipping there for England and to be present at the tryall of the sayd Oliver Plunkett at Westminster. Namely this Deponent went into the County of Meath for Edmund ffay Gentleman and into the County of Lowth for Anthony Murray, Paule Neale, James Doorgan, and Cornelius Tully and brought them to

Dublin but after coming thither they changed their minds and would by noe means come with this Deponent into England tho' he offered them their charges, vntill he had procured them his Maiesties Pass for their safe Egress and Regress. And the said James MacKenna sent and went himself into other places and Countyes for other witnesses who this Deponent believeth will be ready to come for England if they may have a Pass and competent time for comeing. And this Deponent doth veryly believe in his conscience that the Testimony of the aforesaid Witnesses is very materiall for the said Oliver Plunkett's Defence for that some of them told this Deponent that one Moyer now in London writt to his friends in Ireland inviting them to England to forsweare themselves and then they would gett the said Oliver Plunkett's head cutt off and the Irish plott would be carryed on and they should gett money enough. He also sayeth that he heard that the said Moyer stands convicted of Record for corresponding with Toryes and Outlaws in Ireland and also William Hetherington and one Murphy are indicted for the same crimes, the Coppyes of which Records and Indictments this Deponent believeth will be produced upon the tryall of the said Oliver Plunkett. This Deponent further sayeth that one ffay above named told this Deponent that the said Hetherington and another being in Dundalk Gaole for the aforesaid crimes, he invented and contrived the crimes and matters now charged upon the said Oliver Plunkett. He the said ffay being at the same time a Prisoner with them and the said Hetherington gott out of prison upon the account of charging the said Oliver Plunkett to be concerned in the Irish plott and offered the said ffay gold and silver to side with him and swear what he should dictate to him against the said Oliver Plunkett. And the said ffay told this Deponent that he would produce the Messenger that Hetherington imployed to him upon that account at the tryall of the said Oliver Plunkett.

7 June 1681. JOHN PLUNKET.

Charles might easily have satisfied himself of the innocence of the condemned man. He had at his elbow two past Lords Lieutenant, Berkeley and Essex, each of whom from personal knowledge could have testified to the peaceful character and sanctity of his life. But cowed by the Parliament and the Shaftesbury conspirators, the King did not lift a finger. For he had no desire to set out upon his travels again.

In Connaught when the majority of the gentry from Clanrickard down were still Catholic, the bishops and vicars-general were able to obtain more protection than in the other provinces. Though

a reward of £200 was offered for the apprehension of Dominick Burke, bishop of Elphin, he lay for months together in a lonely house and managed to make his visitations by night, safe in the loyalty of the people. Thady Keogh, bishop of Clonfert, was sheltered by Lord Clanrickard in whose family he had been chaplain (*o*). Others were not so fortunate—the warden of Galway, for instance.

COUNCIL TO THOMAS STAUNTON, SHERIFF OF TOWN OF GALWAY, 14 MAY 1680.

You having lately apprehended one Doctor Joyce who pretends to be a secular priest, which you seem to be doubtfull of, are to inform yourself. If a Regular he is to be kept in custody etc.

Again.

COUNCIL TO JOHN, BISHOP OF LIMERICK, 29 NOVEMBER 1678.

Having received information from the Lord Vicount Clare that Lynch Titular Bishop of Kilfenoragh who among others is to depart this kingdom, is now at the said Lord Clare's mother's house and is aboute foure score and three yeare of age and so decrepit as hee is scarce able to leave his bedd. For our better information we require you to send some fitting person to visit the said Lynch and give us a particular account.

The particular account resulted in the poor old man's shipment to France in the depth of winter. There a mendicant in the diocese of Rouen he died shortly after. His vicar-general was subsequently pursued.

COUNCIL TO THE SHERIFF OF CLARE 4 MAY 1681.

After our hearty commendations etc. Having lately received information that one Dennis O'Dae Priest of the Parish of Kellfenora in the County of Clare had ordered a fast to be kept by the Inhabitants of the Parish of Killalaugh contrary to law, you are hereby ordered to apprehend him and proceed against him according to law.

If the Irish church furnished the noblest examples of heroic endurance, it was on the other hand, saddened by many a scandal.

OTWAY, BISHOP OF OSSORY TO ORMOND 17 NOVEMBER 1680.

I thought it my duty to acquaint your Grace that one Paul Higgin a priest of the Romish church and lately a vicar general in the diocese of Killala is now with me and hath left that church and

(*o*) O'Heyne, Irish Dominicans, pp. 196-7.

come to ours. I have known him ever since I was in Connaught and have discoursed and disputed with him. He is of an unquestionable conversation and of much more learning than generally their priests are, though I believe not of more than a man may well bear. He is very poor and if your Grace should think fit to allow him some pension till something might be gotten for him, it might encourage others to come in. I hear that there is a salary in the [Trinity] college for one that can translate into Irish practical books of divinity Latin or English adequate to the understanding of the poorer Irish. He would be very fit for that.

Oliver Plunket had been brought to the scaffold by some of his own priests; his fellow metropolitan James Lynch, archbishop of Tuam, narrowly escaped a similar fate at the hands of an apostate Augustinian. According to Titus Oates' narrative, Peter Talbot and James Lynch were the heads of the Popish Plot in Ireland. Oates, preliminary to returning to England, was to be ordained a Jesuit by Lynch. "Item, for a watch" (read Oates from his accounts) "presented to the archbishop of Tuam when at Madrid 8l 10s." How Lynch came to be at Madrid and so worked into Oates' story appears from the following:

Lords Committee of Examinations, 5 December 1678.

May it please your Lordships. In obedience to your order I have (as well as I can recollect) reduced into writing the Informations of one Martin French, an Augustine friar, against James Lynch the Roman archbishop of Tuam in the province of Connaught, taken by me at Galway as Attorney General to his Majesty for the said province when the Lord Roberts had the government of that kingdom [1669] which followeth in these words, or to the same effect viz.—the said James Lynch said to the Friar that King James declared himself a Roman Catholic under his hand and seal which Declaration was in the Consistory of Rome, till he came to the Crown of England when he employed one to corrupt the Register of that Consistory and take it out which being done he caused the person so employed to be poisoned, for which he [the King] hangs in Hell. The Friar said that King Charles the First was kind to them of the Catholic religion and did not put the Statutes in execution against them, and was a passionate lover of his Queen, a Roman Catholic, to which the said Bishop answered, Did he not die a heretic, and a declared enemy to the Catholic religion, for which he was righteously put to death? Then the Friar saying that our King that now is was a very good natured prince and gave the Catholics great liberty. "He" says the Bishop "a good natured prince! He

is worse than any of them. How many families has he starved and ruined who gave him bread when he was abroad!" "Well" says the Friar "however he is safe enough, he having an established army and guards to secure his person." To which the said Bishop replied "Do not mistake yourself, for there was one of them (which of those I am not certain) who intended to have his heart's blood, and if it were not for the barbarousness of it, would drink it when done." J. SHADWELL, Jurat.

The archbishop was put on trial Trinity term, 1671, on these and the further charge of exercising foreign jurisdiction. He was convicted of a *premunire* and sentenced to imprisonment and transportation. But the viceroy, Berkeley, being friendly, he was let out on bail.

JOHN SHADWELL TO ORMOND 30 NOVEMBER 1678.

The first thing my Lord Berkeley spoke to me after his lordship's arrival was to ask me if I thought it not a malicious prosecution against the Archbishop and because I declared my thoughts it was not, he was very angry with me; and the friar afterwards coming and making his application to him for some allowance in respect his party had wholly deserted him and no man came to him for masses or confessions, as they usually had done, his Lordship threatened him with imprisonment, so I kept him myself several months or he had been starved, of which charity to him I have since felt the inconveniency.

French finding his occupation gone appealed to Oliver Plunket who interceded for him with Dr. Lynch and obtained his pardon. When the persecution was renewed under Lord Essex we discover him once more in his old role of informer.

ESSEX TO SIR OLIVER ST. GEORGE, NOVEMBER 15 1673.

There is one Martin French a fryer who has been soe usefull to me both by privately giving me intelligence of all the proceedings of their clergy and by appearing sometimes and giving assistance to prosecute some of the Romish bishops that should I send him abroade as the Proclamation enjoins I am confident the poor man could not escape the Inquisition or goe with his life, which I look upon to be of so ill an example to all others who should be employed in this kind, as I would rather run the hazard than be guilty of doing anything prejudiciall to the King's service. I doe therefore desire you take care of him. It will be his best course to keep somewhere neare you in the country. This lettre you are to keep secrett to yourselfe.

SAME TO SAME MAY 23 1674.

Martin French is very usefull to me and hath lately given us good intelligence of the actings of priests and titular Bishopps in these parts. Having about a month since published a second proclamation for all Romish Titular Bishopps, Friars, etc, to depart. I now remind you of this Martin French to take care of him and see that no harm happen to him, I also desire you to give him ten pounds. You may do well to give the Mayor of Galway a hint of this man but it must be kept secret or otherwise he will not be able to furnish us with such intelligence as may be of advantage to me.

A few months later on the information of French, Archbishop Lynch was captured and committed to Galway jail. There he lay until the second week of October when with a number of other ecclesiastics he was shipped for Spain. The friar rendered him unwitting service. Had he remained in Ireland and been arrested in the first frenzy of the Oates' plot, there can be little doubt he would have perished on the scaffold. His wretched persecutor remained to the end in the pay of government. Through some oversight the Council, 25th November, 1678, wrote to Sir Oliver St. George revoking permission for French to remain in the kingdom, and ordering his transportation with the other regulars detained in Galway. Shadwell, the recorder, made a direct appeal to Ormond setting forth his services. On 2nd December the Council Book contains the entry that Martin French, all proclamations to the contrary notwithstanding, is to be continued in the kingdom. But the unhappy man seems to have been in poor health. When in the same month the English House of Lords was investigating the Popish Plot and the charges made against Archbishop Lynch, French could only tell his story by Shadwell as proxy.

As the subsidiary plot to the Oates' scheme had been successful in the north, so too the Shaftesbury agents found no difficulty in procuring evidence of Popish conspiracies in the south. John Macnamara, formerly a horse-stealer, came forward to prove that in Waterford Lord Tyrone was engaged in French intrigues, David Fitz Gerald a man of broken fortune, implicated Lord Brittas, Colonel Lacy, Sir Thomas Southwell and others in Limerick. The bishops as usual were deepest in treason. Fitz Gerald swore:

About 1676 I saw Dr. Creagh titular bishop of Cork, who as Dr. Stritch [parish priest of Rathkeale] told me was then newly come from France and Rome. Bishop Mullowny soon after told me that they had more information about it (the foreign aid they were to receive by Dr. Creagh and others lately arrived) that the Pope had already granted the dispensation from allegiance and that France would faithfully perform its agreement.

His confederate, Maurice Fitz Gerald, corroborated:

In the winter of 1676 Captain Thomas Mac Inerina having returned from France and Flanders, there was a meeting at Colonel Pierce Lacy's house at Curra, whither came the Colonel, the Lord of Brittas, Dr. Molowny of Killaloe, Dr. Brennan of Waterford, Dr. Dooly of Limerick and two Jesuits whose names informant knows not.

Accordingly renewed efforts were made to capture the bishops and other dignitaries who were known to be still in the country. John Brenane, archbishop of Cashel and administrator of Waterford, though figuring largely in the depositions of informers, found shelter at Kilcash and Thomastown castles. For Richard Butler, Ormond's younger brother, and George Mathew his half-brother, both staunch Catholics, ever befriended him. His vicar in the administration of Waterford, Robert Power, was assigned a prominent part in the Popish Plot. In November, 1680, John McNamara gave evidence before a Committee of both Houses.

In 1676 this Informant observed the tumultuous congregation of priests and friars who resorted to Knockhouse, a house of entertainment three miles westward of Waterford. He took extraordinary notice of it as being not a thing so usual, on so much that being in company with several of the said priests but especially with Deane Power who was next in dignity to the said Brenane this Informant began to inquire the reason of their meetings so public and frequent in time of persecution, the said Deane Power made answer that he would satisfy this Informant as to that next Patron day at Reisk, which happened to be upon the Lady Day following. Accordingly this Informant met at the place appointed. For the congregation being gathered together to confess and receive the Sacrament after the Popish manner, one Edmund Poore, a Jesuit, preached a sermon the substance of which was to let the congregation understand that they had an Indulgence from the Pope of Rome granted them, and liberty to eat flesh on Wednesday. But in the conclusion told them that there was a consideration for which so great a

privilege was granted which the priest of every parish had orders to give in charge to his parishioners at the time of Confession. Sermon being done the priests fell to the exercise of the main duty which was to confess the congregation. This informant being then one of the Religion made his confession to Deane Power. Now at the time of his confession the said Deane gave a charge as follows that he should not divulge to any person whatsoever upon pain of mortal sin and damnation. What he said imported that the aforesaid Indulgence and Liberty was granted upon this account that whosoever was in a capacity to help and assist the holy cause in the present designs might have the benefit of the foresaid Indulgence which was a pardon of sins for many years. He further added that the clergy of Ireland were to have the tythes accrued out of each parish with the glebes and monkslands, that the French King and the rest of the Pope's confederates, together with the assistance of his holiness the Pope, did intend immediately to invade the kingdoms of England and Ireland.

Power seems to have eluded capture though Eustace Comyn, one of Shaftesbury's agents, was on his trail at Clonmel.

Pierce Creagh, bishop of Cork and Cloyne, finding himself insecure owing to the efforts of the local magistracy, took refuge with his brother near Killaloe. Here early in March, 1680, through the treachery of a servant he was located by the Protestant bishop and arrested.

COUNCIL TO SIR WILLIAM KING, LIMERICK 29 MARCH 1680.

The Primate has communicated letters from the Lord Bishop of Killaloe concerning one Pierse Creagh the titular bishop of Cork and Cloyne who was lately apprehended and sent to you in order to his transportation. We require of you that the said Peter Creagh be kept in safe custodie and not transported until further orders.

Meanwhile some new stories of Creagh's treason had come in, and on 13th April King was ordered to send the bishop under a good guard to Dublin. There was further investigation.

COUNCIL TO THE SHERIFF OF CLARE 17 APRIL 1680.

We have received information that Pierse Creagh was harboured at the house of his brother John. We require you to bind the said John in good recognisances to appear before the Privy Council in Dublin within ten days.

A medical certificate had been sent to Dublin that the bishop was unfit to travel. This was deemed unsatisfactory.

SIR JOHN DAVIS TO SIR WILLIAM KING, LIMERICK, 27 APRIL 1680.

Whereas etc. Notice was taken that they were Popish Phisitians who subscribed the certificate concerning Pierse Creagh. It is expected that some Protestant Phisitian should view him and report etc.

Evidently the bishop was in poor health for on 14th May the Council made an order that upon the certificate now exhibited King was to await further directions before sending him to Dublin. He was not forgotten however.

COUNCIL TO SIR WILLIAM KING 27 JULY 1680.

We require you that you take special care that Pierse Creagh titular Bishop of Corke be kept in strict custody.

And in strict custody he was kept ; in the interim search being made for evidences of his complicity in the Popish plot.

COUNCIL TO LORD SHANNON 11 JANUARY 1681.

As your messanger was coming with Daniel Callaghan through Newmarkett, he [Callaghan] stole from him to Sir Richard Aldworths and went to the Priests then prisoners there, who soe conjured him upp as when he came to your Lordship, Bryan Sweeny tould him he was gladd he was come to sweare the truth to your Lordship. But Callaghan answered him, he would not hang his Bishopp and Priest for an hundred pound.

Sweeny's deposition against the bishop being duly framed, was forwarded to King.

COUNCIL TO SIR WILLIAM KING, LIMERICK, 11 JANUARY 1681.

You may perceive by the Examination of Bryan Sweeny how farr Pierse Creagh titular bishop of Corke is therein concerned. We send it together with several questions whereon the said Creagh is to be interrogated, and doe require you to examine him.

The evidence was now it would seem completed, for on 28th January the sheriff of Limerick was ordered to have the bishop again examined whether he was fit to travel. This time the report of his health was satisfactory and early in February he was transmitted to Dublin. He had now spent eleven months in prison but he was destined to spend a further year and a half before being brought to trial.

CHIEF JUSTICE DAVYS TO PRIMATE BOYLE 25 AUGUST 1682.

Now here at Cork, the titular bishop of Cork, a person by me transmitted from Dublin hither by order of my Lord Deputy and Council did petition the Court setting forth that the witnesses against him though desired refused to appear and therefore prayed a summons for them which was granted. This day being appointed for his trial and the witnesses appearing the Court proceeded to the trial of him and one of the witnesses being sworn to give evidence against the titular Bishop then a prisoner at the bar, he did confidently declare that all what he had sworn against the prisoner was false and so denied everything which was mentioned in his former examinations upon oath. But as the Court was going to call upon another evidence, it happened that a great part of the floor of the court fell down, and with that a great number of people many of whom are severely bruised, others wounded and one or two killed as we are informed. The confusion you may imagine was very great. Such as were not hurt were forced to get out of windows and among them Mr. Baron Worth and I dropped down into the peoples arms who stood ready to receive us, and I thank God we are now in our lodgings very safe and very well.

SAME TO SAME, 29 AUGUST 1682.

This only serves to acquaint your Grace that Doctor Creah, the titular Bishop of Cork, came to his trial. The witnesses who appeared against him and had before sworn positively against the Doctor in their examinations, now retracted that part of their evidence which related to him and thereupon found the Doctor not guilty.

Some interesting particulars are afforded of the bishop of Limerick, James Dowley. On 13th August, 1680, Ormond acquainted Primate Boyle that one Patrick French had given evidence of the plot in Limerick and Mr. John Anketell would corroborate his evidence. But—

Anketell came hither whilst French was here, denied that ever he told him he had anything to discover, but confessed that about three years ago there was a meeting of Popish bishops in a waste house on his land for the consecration of a new bishop, at which he and many gentlemen of that persuasion were present to see the ceremony.

The bishop thus consecrated, had already administered the diocese for nearly thirty years. On the issue therefore of the proclamation October, 1678, the old man full of rheumatism unable either to hide himself or to travel surrendered himself to the

authorities. "I cannot hear" writes Orrery 28th January, 1679, "that any one Romish bishop has shipped himself for foreign parts out of this province—only the titular Bishop of Limerick surrendered himself in order to his transportation, in that city." The bishop feeble though he was, was kept under close observation. The governor of Limerick, Sir William King, writes to Secretary Gascoigne 21st May, 1680.

The titular Bishop of Limerick has pursuant to his Graces order entered security to me to be forthcoming at his Grace's pleasure.

Ormond in a letter to the Privy Council the following July asked for instructions concerning him and others. It was determined to bring him to trial.

SIR JOHN DAVYS TO GERALD FITZGERALD SHERIFF OF LIMERICK 10 AUGUST 1680.

We require you that James Dowley be bound to appear at the next assizes at Limerick.

This is the last reference to the bishop in the government correspondence ; it is probable that the old man soon after appeared before a higher and a juster tribunal.

At this period the diocese of Ardfert was administered by vicars-apostolic. These were not overlooked.

COUNCIL TO JOHN BLENNERHASSETT 4 JANUARY 1681.

Having received information that one Ambrose Pierce a popish priest now resident in the County Kerry doth exercise popish jurisdiction contrary etc. We hereby require you to have him apprehended.

But among the Catholic prelates of the time there was no one who loomed so large in the reports of spies, and the correspondence of Protestant bishops and governors, as John O'Moloney, bishop of Killaloe. Acquainted with many of the highest rank in France, the friend of Colbert,—it was said even, of the Grand Monarch himself, he was shadowed and watched from his first arrival in the country.

ESSEX TO ARLINGTON APRIL 17 1673.

Since my coming into the government of this kingdom, here is one Molooney who calls himself Bishop of Killaloe come over hither. I have spoken with him severall times and find him a very discreet wise man. He is without doubt the ablest

among all those of the Roman persuasion. He has spent most of his time in France and I am apt to persuade myselfe, is too eminent a man to lye concealed there without being taken notice of. He has employed his time since his arrival here—and not without success—in composing the differences which were among those of his own religion, as particularly those disputes which have been betwixt Peter Talbot and Plunkett their titular Primate, concerning jurisdiction. I perceive too that he lives in a better condition than the small profitts which he can make out of his titular Bishopricke would put him into. All which gives me ground to suspect he is a pensioner of France. In case that France and England should not be uppon so good termes as I presume they now are this person may be a most mischievous instrument. Your Lordship may now in time and whilst you have opportunities of good intelligence in the Court of France informe yourselfe of what value this Molooney is there, and with whom he holds his correspondences. Only with this caution that you credit not too much any informations concerning him which may be sent you from Abbot Mountague whom I know to be very much a friend to this Molooney.

The bishop quite unaware of the part credited to him in international intrigues, discharged his duties freely and openly. When, six months later, the proclamation was published ordering all bishops, vicars-general, and regulars out of the kingdom, he like others believing the storm would blow over, gave in his name in Dublin as willing to transport himself. Early however in 1674 he was shipped to France and there remained during the rest of the Essex administration. On the news of Ormond's succeeding to the viceroyalty the good offices of the Duke of York (afterwards James II) were availed of.

DUKE OF YORK TO ORMOND 23 SEPTEMBER 1677.

I could not refuse this bearer F. Molony who is now agoing back into Ireland to recommend him in generall to you, finding him by the little conversation I have had with him to be one of the soberest and discretest I have meett with, of any of his profession, and that I am confident will behave himself quietly and to your satisfaction. I have had the same caracter of him from others and amongst the rest from the Earl of Essex who knew him when he was there, without which I should not have been so forward to have given him this letter, which is all I shall now say but that you may always depend upon my friendship.

It was fortunate for Moloney that he was not known to Oates. His standing in France and his introduction into Ireland under the

sponsorship of the Duke of York, could be woven into a fearsome story. In the first raid therefore he was overlooked. But there was a member of the Committee of the Privy Council on Ireland, who had the highest opinion of his capabilities—Essex. Accordingly an active search was soon begun.

SIR HENRY COVENTRY TO ORMOND 14 JANUARY 1679.

In my last to your Grace of the 11th instant I gave you an accompt of the great arming by sea in France, which still continueth and the design is unknown as before. There is as is here supposed, in Ireland the Bishop of Killaloe, a man of very good parts and much in the confidence and trust of France; his name is Molony. His Majesty would have your Grace to seize him and his papers. In a late evidence that hath been before us, one attesteth he heard a letter read, wrote to a Jesuit from Rome, which said the Pope had considered of the great oppression Ireland lay under, and that he would not only assist them with money but that he was framing a design how to have them supplied with men. What relation this may have to these French preparations may be worth inquiry.

Ormond on 25th January wrote to Orrery, President of Munster, to arrest Moloney and seize his papers. He suggested that the bishop was hiding "somewhere about Limerick or in the county of Clare where his friends are." Orrery, a man long practised in these affairs, replied three days later.

I shall write by an express this day to have all means used for the seizing Dr. Molony and his papers, though I doubt it will be difficult to do it, for both his friends and kindred have above these ten weeks confidently reported he had in a disguise shipped himself for France in the west. Though for my part I cannot certainly hear that any one Romish bishop has shipped himself for foreign parts out of this province.

Orrery's anticipation proved correct.

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assured by some merchants here that he is gone beyond seas, for they tell me that he went towards Waterford in order thereto.

The hunt continued, but with little results.

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Upon perusall of your letters of the 14th instant concerning Dr. Mullowney we think fitt that you take into your custody the two baggs of money and doe also examine Thomas Grypha what person did execute the office of Vicar Generall under the said Mullowney since he the said Grypha was putt out of that imployment and doe use your best endeavours to apprehend the said Mullowney.

Six months later, the reports of spies seem to have located the bishop.

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We have lately received information that one Molony titular Bishop of Killaloe has lately removed out of Clare into Connaught. We require you to imploy fitt persons to apprehend him and have him sent under a safeguard to this City of Dublin.

The sheriff of Galway was written to on same date, but after prolonged search it was said the bishop had gone back to Clare.

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In obedience to his Grace's commands to me of the 10th instant's date I sent out from hence [Limerick] two parties of foot (under the command of two commissioned officers) to the several places mentioned in his Grace's list to make search for the titular Bishop of Killaloe, they returned hither the last night but could neither find him nor hear of his being at any of the places, nor at several other places where they made a search for him. I will lay out all I can to find him and there is no way to effect it but by setting of him, and that cannot be done without money, which shall not be wanting.

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he lives. He owns that Molony the titular Bishop of Killaloe was in his house one day about seven years past and never before or after but utterly denies any private conversation with or messages from or sight of the said Bishop ever since or then or any time before or after it or knowing of any money he any way disposed of to any person or persons on the King of France his account, or heard a word thereof in any manner whatsoever or of any plot against our King.

There now appears on the scene, Roan, Protestant bishop of Killaloe, a man thorough-paced in all the ways of informers.

JOHN ROAN TO PRIMATE BOYLE 10 MARCH 1681.

When I was last in Dublin I had some discourse with my Lord Lieutenant concerning Bishop Moloney whom his Grace believed was in France, whereas I then was and am still of opinion he is in this kingdom. Besides other I have this reason that in the beginning of November last the parish priest of Tullagh died and the parishioners chose of themselves one Grady to succeed, where he had scarce continued three weeks but there came an order from Bishop Moloney under his own hand for the induction of one White. The original order I expect this week to be brought me so that it is evident he could not be in France.

In reply to an enquiry of Ormond, Roan wrote 23rd April:

As for Bishop Molony, I had certain intelligence (while one man lived but since dead) where his parents were, and amongst other places he was at the Lady Clare's house near Inish [Ennis], and having got notice he was there, I sent a party to enquire for him, but he was gone. The Lord being at Inish—which was more than I knew—he was displeased and sent me the enclosed letter how ill he resented it. I cannot say that the Lord himself was at any time in Molony's company.

I have got me many enemies of the Irish for my enquiries after Bishop Molony so that I was advised by a friend to have a care of myself, which caused me to write to my lord Primate to befriend me for my removal when occasion offered.

Clare though professing himself a champion of Protestantism, was strongly suspected by Ormond. To put himself right he now joined in the pursuit of Moloney. The cordon was soon drawn so tight round the bishop that people were afraid to shelter him. He had at last to fly to France.

JOHN ROAN TO PRIMATE BOYLE 25 APRIL 1681.

And now I must add one thing more, which is this, I hear now that Bishop Molony is gone to sea. The priest whom he ordered

to be inducted into Tullagh hath left the country, and the priest Grady who was chosen by the people at first is returned to that place. But withal he acquaints me that he hears Bishop Molony hath left an excommunication on him, but as yet no order for it is come to his knowledge, but says he is certain the Bishop took shipping lately at Kilrush. I have acquainted him that if any such order whether written or verbal is brought to him that he should give me notice thereof together with the person that brought it, which I expect he will for the priest's mother is my tenant.

There was no need of further efforts, for Dr. Moloney soon after reached France whence on 13th June, he sent to Propaganda a summary of his three years' adventures (*p*).

The bishops of Leinster equally with their brethren in the other provinces, faced the penalties of transportation or death in the discharge of their duties. The bishop of Kildare, Dr. Mark Forrestal, though unceasingly pursued, long eluded capture. From the very beginning of the Oates' plot the spies were on his trail.

COUNCIL TO RICHARD LOCK AT ATHY 9 DECEMBER 1678.

We find by your letters of the 5th instant an account of the late concourse of people in which letters you mention that you heard that the Parish Priest there hath displast priests and divided parishes thereabouts. We require of you to inform yourself of that matter and discover the names of the priests removed and the names of the priests who were putt in their places and whether the parish priest hath any authority and from whom, upon all which you will make return to us.

The bishop nevertheless during this and the following year, faithfully administered his diocese. The Government Register of 1704 shows the several houses of the Catholic gentry where he ordained priests in 1679 and 1680. But at length it became too unsafe to shelter him, and he was forced to build a shieling in a lonely wood, whence he watched for a break in the storm. In vain, however, for on 25th February, 1681, we find his capture recorded. For two years he pined in a Dublin prison until in 1683 death came to discharge him.

More fortunate was James Phelan, bishop of Ossory. On the hills overlooking the Suir in the old manor houses of Garryricken and Kilcash, the outlawed ecclesiastic was harboured by Walter

(*p*) Spicilegium Ossoriense II, 258.

Butler, the Lord Lieutenant's nephew, and Richard Butler his brother.

The bishop-elect of Ferns escaped transportation by a curious defence. He was not bishop since he had not received consecration; neither was he vicar-general since there was no bishop. He pleaded that he was simply elected by the twenty-one priests of the diocese, and the crown prosecutors apparently forgot that a vicar-capitular exercised popish jurisdiction.

How another Leinster bishop was forewarned and thereby enabled to escape, appears from the following:

ORMOND TO SECRETARY JENKINS 6 DECEMBER 1681.

There came to my hands a letter written by frier Jo. McMoyer (one of the evidence against Olyver Plunkett), directed to one James Cusack, a popish priest [Catholic bishop of Meath] the subject whereof is to desire Cusack to warn one Doctor Drumgoole and severall others of the popish clergie to depart the kingdom for that they had been accused of treason in England, that new warrants are issued for their apprehension and that if they stayd they would be served as Plunket was. Some arguments he used to induce them to be gone, shewing his earnest desire of unity amongst all those of that function and persuasion, and some profession he makes of his continued steadfastnesse and zeale to their religion. Yesterday I produced this letter at Council and it was then ordered that Moyre should be sent for being in town. He was accordingly brought and has very franckly before us all and under his hand owned that the letter was all his hand writing. He was then ordered to be taken into custody till he should find sufficient security to appeare to answer for his misdemeanour of advising such as he himself had accused of treason to fly from justice. This account I give you lest such proceeding against one upon whose testimony in past a person has been found guilty and executed, should be misrepresented or misunderstood.

It remains to trace the fortunes of the archbishop of Dublin, Peter Talbot. Arrested and brought to Dublin Castle, 11th October, 1678, the evidence against him as given by Titus Oates, 27th of same month (*q*), was:—

In the month of August there was a consult with the Jesuits and with the Benedictine monks at the Savoy. In this month of August there was a letter writ from Archbishop Talbot wherein he gave an account of a legate from the Pope an Italian bishop

(*q*) Trial of Edward Coleman, S.J., King's Bench, London.

(the bishop of Cassay I think) who asserted the Pope's right to the kingdom of Ireland. In this letter there were four Jesuits had contrived [plotted] to dispatch the Duke of Ormond, to find the most expedient way for his death; and Fogarty [M.D.] was to be sent to do it by poison if these four good fathers did not hit of their design. Fogarty was present. And when the consult was almost at a period, Mr. Coleman came, and was mighty forward to have Fogarty sent to Ireland to dispatch the Duke by poison. This letter did specify they were there ready to rise in rebellion against the King for the Pope.

Four days after his arrest the archbishop was examined by a committee of the Privy Council presided over by Jones.

Peter Talbot Titular Archbishop of Dublin being duely Examined Sayeth that he left Ireland in or about the month of June before the publication of the Proclamation for the Popish cleargie to depart the kingdom [1673], and that hee went away then uppon the advice of some friends in England and after his goeing into England and continuance there about a month, hee went into France and remained there about two yeares and from thence went to St. Omers and stayed there about a fortnight or three weeks and thence to Calis where he stayed about a fortnight and from thence came to London on about March last was two yeares where he stayed about a month and from thence came into Cheshire to Mr. Poole of Poolehall in Wirrall where he continued untill his arrivall in Ireland about the latter end of May last. He sayeth that the reason wherefore he came into Ireland was that he was tould by his Physitians that he could not live long, being troubled with an vlcer in the bladder and other disorders and therefore desired to dye in his own country. That being tould the danger of the breach of the Proclamation and the Law from his returning into Ireland, sayeth he did by some friends make application to his Grace the now Lord Lieutenant for his returne into Ireland, that Collonell fitz Patrick (*r*) wrote to him that his Grace did not conceave it seasonable for his returne at that time but advised him to adjust things with his friends in England, which he endeavoured to effect. He sayeth that uppon a second application made to his Grace before his coming over that Collonell fitz Patrick wrote to him again and advised him to adjust matters with his friends in England and that being done if hee return into Ireland the Lord Lieutenant would take no more notice of him than of any others of his quality. That uppon his landing in Ireland hee desired Collonell fitz Patrick to make his excuse to his Grace in not waiting on him according to his duetie, by reason of his distemper and that Collonell fitz Patrick told him that his Grace was sorry

(*r*) Ormond's brother-in-law.

for the Examinates sickness and indisposition and that whilst hee behaved himself peaceably, hee would take no more notice of him than of others of his condition. He sayeth that he did not make any other address to his Grace by any other Person nor received any other answer than before is mencioned. He sayeth that he doth know Richard Strange but did not see him but once in London about two yeares since (*s*). He doth know John Kaynes and onely read one or two letters from him concerning controversie in religion and never saw him but twice. Doth not know John ffenwick nor ever writ to him nor ever received any letters from him. He doth know Richard Ashby, Rector of St. Omer, but never writt to him or received any letters from him since he came from St. Omer. He sayeth hee doth not know Thomas White, Ireland, Micho, Harecourt, ffr Blundell, John Graves, Jenison or Lockwort. Hee sayeth that hee heard that one Laseise [Pere La Chaise] was confessor to the French King but did not know him, nor ever wrote to him or to any other to be communicated to him, or received any letters from him. Hee sayeth that since his coming from France he hath not received any letters from any person from St. Omer nor sent any letters thither to any person. He sayeth that he never knew nor saw one Oates nor ever heard of him untill within this fortnight uppon the discourse of the Plott. He sayeth he doth know William Morgan a priest who usually resided with the Lord Powes in Wales and hee came acquainted with him at Poole hall about eight or tenn months since but doth not know that he was in Ireland within these two yeares past but heard he was here about five or six yeare agoe. He sayeth that John Oliva is Generall of the society of the Jesuits and Resident at Rome. Doth not know of any commission granted by the said Generall to any Person but that communicated for the prayers of the body of the society, [which] has been granted under the seale to the Examinate and others. Hee sayeth that he doth not know any Jesuits resident in or about Dublin but ffr Netterville, ffr Gough, ffr Usher and ffr Johnson, and one Ryan in the county of Catherlagh and doth not know any others in the kingdom but hath heard and beleeveth that there are severall. He sayeth he doth not know or ever heard of any breefe from the Pope in the year 1673 or since. He sayeth that he doth not know or heard of any Nuncio, Legate or minister imployed from the Pope into this kingdom since his Maiesties restauracon. He sayeth that he hath not written any letters within these two yeares past to any Jesuit in or about London or the aforesaid letters to one Kaynes and [but ?] letters to Mr. Benefield in London once or twice since the Examinats coming into Ireland which was concerning his private affayres

(*s*) Strange was Provincial of the English Jesuits. He and the other Jesuits named, were implicated by Oates in the Plot.

onely and in vindication of himself from the Calumny of one Serjeant. He sayeth he doth know Dr. ffogorty and hath been acquainted with him these nine or ten yeares past. Hee sayeth that when hee was in London about two yeares since beinge in discourse with Dr. Fogarty hee wished that hee were in Ireland uppon account of his practice onely but hee answered hee was better where hee was and sayeth hee hath written to him since concerning his (the Examinats) distemper and Sergents calumny as aforesaid and noe other occasion and that the said Doctor by his letters advised him to apply himselfe to Dr. Meara for his distemper. He sayeth he doth not know of any commanding officer of the standing Army in Ireland that is a Papist or that any dispensation was given to any of them for taking the Oath of Supremacie and believeth that none can be given them. He sayeth he never received any letters under any cover directed to the Lord Mount Garrett nor knows of any other person that received such letters. He sayeth that since his last coming into Ireland he doth not know of any Parish papist Priests removed out of their Parishes but heard of one that lived near Arkloe that was removed for scandalous living but was not done by the Examinat hee having declared that ever since his last coming into Ireland hee would not intermeddle in matters of that nature.

Taken before us 15 of October 1678 PETER TALBOT.

Hen. Midensis, Ro. Booth, John Davys.

Two other examinations were taken, and a further one of Andrew Birmingham, the archbishop's servant. The four were sent to the Lords Committee then in session in London but these gentlemen in vain endeavoured to make them fit into Oates' story. It was now whispered that Ormond himself was in collusion with Talbot. It was noted that the archbishop's papers were not seized at his arrest, and further that his return into Ireland was connived at by the Lord Lieutenant. Though Ossory wrote October 23rd, "I hear Peter Talbot and others are in custody; I doubt not but you will make their restraint as easy as is possible, after their being examined," there could not in the then state of Protestant frenzy, be question of bail. Neither had Ormond the inclination. For the Talbots and he had long been bitter enemies and he had always believed that the terrible expose "The Sale and Settlement of Ireland" was written by the archbishop. The agonized petitions therefore sent from time to time, were cast aside with angry disdain.

The humble petition of Peter Talbot

May it please your Grace. Humbly sheweth that your Petitioner

after a long continuance of an Vlcer and Stone in the Bladder hath bin bedr'd these six monthes past and now rendred almost incapable of stirring in his bed or chamber without very great paine and danger. And therefore [he] is advised by the Physicians not to stirr or move as much as formerly. Your Petitioner it appearing by the Physitians opinion in iminent and sudden danger he is in, doth humbly prey that he may have a Secular Priest come to him to prepare himself as a Christian and one of his persuasion for an other world and your Petitioner will ever pray, etc. PETER TALBOT.

[Endorsed] Peter Talbot's Petition given me by Sir Thomas Newcomen. Received 11 of Aprill 79 ffer a Priest to come to him.

No priest however was permitted to approach and it now seemed that the only hope of relief physical or spiritual was to address Charles and the English Privy Council. The result appears in a letter from Secretary Coventry to Ormond, 19th August, 1679.

As to the letter from your Grace and Council to me with the inclosed petition of Peter Talbot and the Certificates, I could not shew it the Council for the reason that no Council is to meet till the Thursday after Michaelmas, but I shewed it to his Majesty who commanded me to return this answer that you and the Council can best judge of the matter of fact asserted in the petition and if you judge him to be in that desperate condition His Majesty is contented you should let him go into the country for the air provided you take sufficient bail and all other ways provide against his escape. The King and Council here have given leave to my Lord Bellasis for a short time to go into the country, but besides his bail they have appointed two of the warders of the Tower to be with him at his house but as to this I have no order to give your Grace any directions. I only acquaint you with it as my own observation and I suppose your order if you give it will be that he return whenever your Grace shall think fitting to summon him. And this is what I had from his Majesty in answer to the letter sent me by your Grace and Council.

Ormond however was determined to give the archbishop no quarter; he met, as would seem, the importunity of the tortured prisoner with a diplomatic lie.

To his Grace James Duke of Ormond Lord Lieutenant General and General Governor of Ireland.

The humble petition of Peter Talbot Prisoner in his Majesties Castle of Dublin.

Sheweth. That the languishing condition of your Petitioner in a streight confinement these twelve moneths past and vnder the most painful of diseases is now come to the point that for want

of conveniency in the place where he is of vseing of Bathes and other remedies to abate the Sharpnes of his distemper, he is like to perish in a very deplorable manner and though he has incouragment from his friends in England to hope that his Majesty (when his more weighty affaires are over) will take your Petitioner into his mercifull consideration yet his torments increase so fast upon him that he feares his Majesty's favour will arrive too late if your Excellency take no present compassion of him. May it therefore please your Grace To grant your Petitioner leave to remove from the place of his present confinement to the house of some one of his frinds here in Towne and there to remaine either upon bayl or under a guard vntill his Majesties further pleasure concerning him be known. And he will ever pray etc. PETER TALBOT.

No notice was taken of this petition, for there is no reference upon it. A final appeal was made in February, 1680, but this last cry from the dungeon was stifled also. "The two letters," writes Coventry 6th March, "were read at the Board yesterday. They would not at all meddle with the desires of Peter Talbot but laid it totally aside." Henceforward the only respite to be looked for was death, and this was long in coming. At length on 25th October—more than two years after his arrest, Lord Lanesborough wrote to Ormond in Kilkenny "Mr. Turner tells me Peter Talbot is past recovery." A month later Ormond informs the English Secretary of State:

I have for two or three posts forgot to acquaint your Lordship that Peter Talbot, the titular Archbishop of Dublin is dead and that care was taken to have the body looked upon by some that knew him.

This was not unnecessary, for in the frenzy of the time Ormond himself might have been accused of liberating the archbishop. But a fuller measure is afforded of Protestant fanaticism. Talbot had befriended Charles. The Spanish pension for the exiled king had been negociated by him. After the Restoration, as chaplain to the Queen and resident at Whitehall, he and Charles had been on the most intimate terms. There is evidence that this intimacy continued to the end. Yet now the King dared not grant the old man one week's fresh air, nor at the last, unbolt his cell and let him forth to die (*t*).

(*t*) The archbishop's will may still be seen among the Carte Papers in the Bodleian Vol. CCXLIII.

CHAPTER III.

WILLIAM AND MARY.

HITHERTO the work of uprooting the Catholic priesthood went on at intervals and sporadically. For there was no regular machinery. The Council or the Lord Deputy issued instructions or proclamations and these the sheriffs and other officers acted on or ignored according as their judgment dictated or the local circumstances admitted. The statute book beyond certain penalties for " extolling the pope's jurisdiction " contained no enactments against priests. And the Catholics were too powerful throughout the seventeenth century to make such legislation possible. In February, 1612, Sir Henry Winch and Sir John Davies brought over among other bills one similar to the English Act of 1585, that Jesuits and seminary priests were to be accounted traitors and to harbour them was felony. But after the sturdy action of the Catholic opposition at the beginning of the parliament, no more was said about the proposal. When at the parliament of 1634 the bill was again mooted, Strafford "thorough" as he was, reported "it would be too much at once to distemper the Catholics by bringing plantations upon them and disturb them in the exercise of their religion ; and very inconsiderate to move in the latter till the former was fully settled and by that means the protestant party become much the stronger which he did not then conceive it to be" (*u*). At the Restoration the Cromwellian House of Commons sent heads of bills to the English Council subjecting the priests to the same penalties as in England. Again in 1683 the parliament about to be called, included in its *agenda* an act making the exercise of papal jurisdiction in Ireland punishable with death. But weakened though the Catholics were by the Ulster plantation and the Cromwellian forfeitures, the Council did not think fit to proceed with these measures. Now however all was changed. The Catholics utterly crushed by the war of the Revolution were shorn of every element of political and military

(*u*) Strafford's Letters II, 36.

strength. Their lands were confiscated, their merchants driven from the towns, their gentry and professional classes gone into exile or reduced to pauperism, the mass of the people in abject misery and serfdom. In short the whole resources and government of the country had passed into the hands of the Protestant minority and the state of things desiderated by Strafford was realized at last.

It is important to bear these facts in mind. For apologists of the penal laws are wont to justify them as measures of self defence. A small minority, they say, in the midst of a hostile and overwhelming majority could only protect itself and maintain its existence by reducing the majority to absolute impotence, social and civic; that in point of fact these laws preserved Ireland during the eighteenth century from becoming what it assuredly would have become, the theatre of Jacobite intrigue and civil war. And hence that their motive causes were not religious bigotry or racial hatred but the elementary ones of fear and common prudence. Such is the reasoning and it appears to have much force. But after careful examination of the proceedings of the two Parliaments, of the correspondence between the Irish and English Councils and the utterances of the statesmen responsible, I feel bound to say it receives no support from history. The penal code, though a marvellously complete, organic whole was not put together under the pressure of an ever advancing enemy nor was it the result of a well conceived policy of defence. It came into existence in a brief period when the Irish people were regarded as hopelessly, irretrievably crushed, and each step in their fall, each diminution of their hopes was marked by a new link in the chain (*v*). Their cause had been espoused by France, and according as the fortunes of France sank, the penal code grew branch by branch in malignant perfection. Not in fear were the

(*v*) Sir Richard Cox who had a large part in framing the code, writes "The youth and gentry of Ireland were destroyed in the Rebellion or are gone to France; those who are left are destitute of horses, arms, money, capacity and courage. Five out of six of the Irish are insignificant slaves, fit for nothing but to hew wood and draw water." And Swift the great representative of the Protestant minority everywhere expresses the utmost contempt for the Catholics. "They are as harmless as women and children, powerless to hurt, and doomed to certain disappearance in one or two generations."

laws of William and Anne passed, but in vengeance and in the unbridled licence of triumph. The language of Burke has been sometimes criticised but any research amongst original authorities shows it to be only the literal truth. "All the penal laws of that unparalleled code of oppression were manifestly the effects of national hatred and scorn towards a conquered people whom the victors delighted to trample upon and were not at all afraid to provoke. They were not the effect of their fears but of their security. Whilst that temper prevailed, and it prevailed in all its force to a time within our memory, every measure was pleasing and popular just in proportion as it tended to harass and ruin a set of people who were looked upon as enemies to God and man and indeed, as a race of savages who were a disgrace to human nature itself" (*w*).

The sequence of events brings out this fact clearly. Immediately before the battle of Aughrim, William made a proposal through Sir Charles Wogan (Tyrconnell's nephew) that the Catholics should be secured the free exercise of their religion, that half the churches should be given back to them, that they should have their share in civil and military employment, and that half their former property should be restored (*x*). The Articles of Galway secured the officers there, their estates, permitted Catholic barristers to practice and priests to say mass in private, and pardoned all offences committed since the accession of James II. Again in the instructions of William to the Lords Justices to be embodied in the "secret proclamation" even more liberal terms were granted. Finally the first article in the Treaty of Limerick guaranteed the enjoyment of such privileges in the exercise of religion as were consistent with the laws of Ireland or were enjoyed in the reign of Charles II, and promised further protection from disturbance on account of religion. This was the high-water mark of toleration. It was also the period when the Irish Catholics were strongest. For the war was not yet over. Louis XIV. was as yet victorious over the Grand Alliance. William's throne was still shaking, and engaged as he was in a life and death struggle on the continent, the contest with the Irish had to be closed on any terms.

(*w*) Letter to Sir H. Langrishe.
(*x*) Wogan to Swift—Swift's Works XVIII, 13.

But in the seventeenth century no more than in our own day, were treaties respected longer than the high contracting parties felt in a position to repudiate them. For a few years some pretence was made of observing the Articles of Limerick. Dopping, bishop of Meath, was dismissed from the Privy Council for preaching in St. Patrick's that no faith should be kept with the Irish. A few outlawries were reversed in the Lord Chancellor's court. Sydney admitted some Irish officers into the army and tried to obtain parliamentary sanction for the Articles. During these years in fact, the issue of the struggle was still doubtful. The great French victories of Steinkirk and Neerwinden rendered it possible that another descent might be made and the whole country kindled into conflagration. But the decline of France from 1694 onward, the fall of Namur in 1695, and the peace of Ryswick in 1697, allayed all the fears of the Irish minority, and furthermore released William from obligations to his Catholic allies. Accordingly the flood of Protestant fanaticism put up since the days of Charles II. was now let loose and the penal era began.

The priests had already got a foretaste of what was to come. In December, 1692, some French privateers appearing off the coast occasioned a general alarm. An order was issued by Sydney to put all priests under arrest as well as such others as had held commissions in the army of King James. Sydney acquainted Lord Nottingham, the English secretary, 23rd January, 1693, that the returns of the arrests for Munster and Connaught had not come in but he enclosed the following :—

Dublin	....	35 priests.
Queen's Co.	....	2 ,,
Roscommon	....	5 ,,
King's Co.	....	4 ,,
Kilkenny	....	13 ,,
Tyrone	....	5 ,,
Mayo	....	4 ,,
Tipperary	....	4 ,, but seven had absconded and all the priests of Upper Ormond.
Kildare	....	2 ,,
Co. Dublin	....	8 ,,

"As the apprehensions," he continues, "are now blown over or in a great manner lessened the persons who were imprisoned are now set at liberty upon giving security for good behaviour and promise to come forth when required. Only excepting the regular clergy who are still imprisoned till his Majesty's pleasure be known in relation to them."

The regular clergy occupied the anxious attention of the executive.

COUNCIL CHAMBER, DUBLIN CASTLE, JANUARY 10, 1693.

It is this day ordered that the Committee of this Board appointed to examine the papists lately taken up in or about this city, or any three of them do forthwith meet and consider what may be fitt to be done with the regular priests now in custody upon the late general order, and of the most easy and effectual way of disposing or sending them out of the kingdom, and report the same forthwith.

In accordance with this order the Committee reported the following day that in 1673, 1674, and 1678 the regular clergy were banished the kingdom by proclamation. They added—

We are of opinion that the great number of popish archbishops, bishops and regular clergy now in Ireland and exercising forraine jurisdiction, tends to the disturbance of the peace and is against the laws and statutes of this kingdom, and there is great reason to issue out a proclamation like the former proclamations requiring the said bishops and clergy in some convenient time to depart out of Ireland under penalty of being prosecuted with the utmost severity. But it is submitted to your consideration and to the Board whether you shall think fitt to issue out such a proclamation without their Majesty's commands.

Sydney consulted Nottingham who promised instructions. Four months later no instructions had come. It was not yet the time for a general clearing-out of the priests. Meanwhile local persecution went on. The Lords Justices, 18th August, 1693, published a proclamation that "the popish pretended parish priest of any parish when tories are out upon their keeping is to be arrested and kept in the common gaol of the county until the said tories are arrested." Now as tories and rapparees abounded in the years following the Revolution, many of the priests must have been imprisoned. Here for example are Christmas stories of the period, one from each end of the country.

Strabane ye 24 of December 1696.

My Lord,

By order from government to the Sheriff of this Co. there is five of us of the Romish clergy taken and in custody these foure weeks past in this town, no accusation nor no cause that wee know but only that wee are priests and the pleasure of the government. Your Lordshipp is sensible that wee cannot be here without greate expenses and little or nothing to pay it with unless helped by such as your Lordshipp, being a perfect Patern of Charitie. [We] have made bould in the behalf of the rest to acquaint your Lordshipp with our present confinement and indigencie, some of us being mendicants and thereby the more unable to defray our charges and since the government, god be praised, cannot lay any thing to our charge so that any may intercede for our libertie wee pray your Lordshipp to comiserate our condition in contributing to our help as to your Lordshipp shall seeme fitt. And wee shall as in duetie bound forever pray for your Lordshipps health and welfare and conclude ourselves your Lordshipps poore distressed and Most humble servants.

Fa. James O Hegartii
Fa. John mac Nally
Fa Teig O Linsechan } Priests.
Fr. Phillip mac Hugh
Fr. James Mac Conny

Endorsed To the Rt. Hon. and Father in God William by divine providence ld. Bishop of Derry at Londonderry. These.

In the beginning of December, 1696, the whole clergy of Waterford were brought prisoners to Waterford gaol. From the corporate minute book we learn—

December 15 1696 Mr. Mayor having received orders from the Government to continue the priests in custody and to bail others. It is ordered that there be a watch of the Cittizens eight men and a constable every twenty four hours with armes and those that cannot so appeare to imploy others at Eight pence a turne and that the Sherife see to the well ordring of it.

The era of penal legislation was inaugurated by the parliament of 1695. Sydney had been dismissed as too favourable to the Catholics, and Capel, the new deputy, in his speech to the two houses, 27th August, struck the key-note of their proceedings.

The [proposed] bills have more effectually provided for your future security than has ever hitherto been done. In my opinion the want of such laws has been one great cause of your past miseries and it will be your fault as well as your misfortune if you neglect to lay hold of the opportunity now put into your hands by

your great and gracious King of making such a lasting settlement that it may never be in the power of your enemies to bring the like calamities again upon you.

During the summer Robert Rochfort and Alan Brodrick who had led the "Protestant interest" in the last parliament and were now Attorney-General and Solicitor-General, were busy. The results of their labours in conjunction with the English Council, were two bills, one for disarming the Catholics the other for the destruction of Catholic education. "The first," wrote Capel complaisantly, "will secure the Protestant interest, the other the Protestant religion in this kingdom." The bills were carried in a flood of enthusiasm and the session, unlike the stormy ones of the previous parliament, closed with all round felicitation. Two years later, as was the custom of the time, the next session opened. The prospects of the Catholics had meanwhile darkened and their power of resistance grown less. The time therefore had come when the whole settlement might be called in question, and the Treaty of Limerick torn in shreds. Previous to the sitting of parliament the two Councils with whom all real legislative power lay, discussed the proposed measures.

THE LORDS JUSTICES TO THE ENGLISH PRIVY COUNCIL 12 JULY 1697.

An Act for the Confirming of Articles made at the Surrender of the City of Lymerick.

Wee conceived the first Article concerning Religion unfitt to be mentioned in this Bill. The Second Article is confirmed in the sence and meaning in which it hath been understood and practiced by the Council here and submitted to by the Irish in the claymes that are already determined. The Third, Fourth and Fifth Articles are confirmed. The Sixth Article which hath been the subject of the greatest disputes is confirmed in its full latitude which is done in regard to his Maiesties honour only and not for the justice or reasonableness of the thing in itself and wee hope the same reason will prevayl in the Parliament if his Maiesty shall think his honour concerned in having the Article soe fully confirmed. The 10th day of Aprill hath been thought the moste proper day to settle for the beginning of the war for the reason mentioned in the Bill and for that it seemed to be the sense of the Parliament when that matter was in debate.

WINCHESTER, GALLWAY.

It is to the credit of the Irish lords, the Protestant bishops in particular, that they protested against the omission of the

famous clause in the second Article. Their lordships however made no protest against the dropping of the first Article which was the fundamental one of the whole Treaty. To put toleration to Catholics in an Act of Parliament would be in their view, national apostacy.

The road being now clear, legislation against ecclesiastics was proceeded with. As originally framed the first bill ran "An Act for suppressing All Fryerys, Monasterys, Nunneryes," etc. The English Council added "Chantreys, Guilds and Fraternities." This brought an expostulation, for as it happened the old chantry and guild property was in Protestant possession and its title might be imperilled.

THE LORDS JUSTICES TO THE ENGLISH COUNCIL 3 AUGUST 1697.

The amendment is of such a nature that if passed into law it would disturb the quiett of this whole kingdom. No one person of either house would give his consent for passing the bill with this clause, we therefore transmitt the same bill with some small change in title. An Act for banishing all Papists exercising Ecclesiasticall jurisdiction and all regulars of the Popish church out of this kingdom.

Froude's account is that the words were inserted by Popish intrigue in England for the purpose of damning the bill. Yet the truthful historian must have read the following:

SHREWSBURY TO LORD CHANCELLOR, WHITEHALL, 14 AUGUST 1697.

The Bill for banishing Regulars is now under Mr. Attorney Generall's inspection, it will be considered on tuesday and so, little objection can be made to it if it be of the same nature with the former before it was altered by us. Orders having been given to have it ready engrossed I hope it may be sent away that evening but your Lordship may depend upon it that there will be noe delay nor obstruction to the hastening that Bill which everybody seemed to like.

The Irish Parliament, Lord Chancellor Methuen wrote, were greatly disappointed at the delay. They were eager to open the campaign against the priests "inasmuch as the late rebellion had been notoriously promoted by the Catholic clergy and the public safety was endangered by the presence of so many of them." The Bill therefore soon became law.

9 WILLIAM III. CAP 26.

Sec. 1. All popish archbishops, bishops, vicars-general, deans, jesuits, monks, friars and all other regular popish clergy, and all papists exercising any ecclesiastical jurisdiction, shall depart out of this kingdom before the 1st of May 1698; If any of the said ecclesiastical persons shall be at any time after the said 1st of May 1698 within the kingdom, they and every of them shall suffer imprisonment until he or they shall be transported beyond seas; and if any person so transported shall return again into this kingdom, they and every of them shall be guilty of high treason and suffer and forfeit as in case of high treason.

Sec. 3. From and after the 29th of December 1697 no popish archbishop, bishop, vicar-general, dean, nor any other papist exercising ecclesiastical jurisdiction not established by the laws of this kingdom, jesuit or friar, shall come into this kingdom from any part beyond the seas, on pain of twelve months imprisonment, and then to be transported, and if any such popish ecclesiastical person so transported, shall again return into this kingdom, he and they so offending shall be guilty of high treason and suffer accordingly.

Sec. 4. Any person who shall knowingly harbour, relieve, conceal or entertain any such popish ecclesiastic shall for the first offence forfeit £20, for the second offence £40, and for the third offence all his lands of inheritance or freehold during his life, and also all his goods and chattels, one moiety to the King and the other moiety (if not exceeding £100) to the informer; the forfeiture for the third offence to be recovered by bill, plaint, information, or action for debt in any of the courts of Record at Dublin or at the assizes.

Sec. 5. As to the said forfeitures of £20 and £40, justices of peace upon information on oath may summon the persons, and inquire and levy the same by distress, sale or otherwise, and dispose of one moiety to the informer and the other moiety to the treasurer for the use of the county; and in default of payment to commit to prison until payment.

Sec. 8. Justices of peace may apprehend and commit all popish ecclesiastics who remain in this kingdom contrary to this act, and suppress all monasteries, friaries, nunneries or other popish fraternities or societies.

Sec. 9. They shall give account in writing of their proceedings in execution of this act, at the next general quarter sessions to be there entered and registered.

Sec. 10. If any justice of the peace shall neglect doing his duty in execution of this act, he shall forfeit £100, one moiety to the King and the other to the informer, and be disabled from serving as a justice of peace during his life.

At first blush it might seem impossible to enforce such a law, encountered as government would be at every step by an angry, overwhelming population. Yet for a time the impossible was achieved and the act obtained a considerable measure of success. Though the results of Section 1 are known with singular exactness, it is to be regretted that few details of the process are extant. Not only have the county documents perished but the records of the executive for this period are gone, having been burnt presumably in the fire of 1711.

In December, 1697, the Lords Justices Winchester and Galway issued instructions to the mayors, sheriffs and other magistrates that the obnoxious ecclesiastics were to be compelled to enter into bonds to appear before the Council in Dublin when required. The services of the Protestant dignitaries were also enlisted. From a letter of the Jesuit superior dated Waterford, 30th December, 1697, it appears that four days previous all the priests of that city were cited before the Protestant bishop and dean there to give evidence as to whether they belonged to a religious order or, if secular priests, what their ecclesiastical status was. But government was not dependent upon the magistrates, however active, or the parsons, however bigotted. If it were, the task to which it had set itself would have been beyond its strength. What inquisition could discover the regulars, scattered as they were through the country and working as missionary priests,—for nearly all the communities had been broken up? Or what rewards or what punishments could bring in the bishops and vicars, cherished and protected by a people who would neither be cowed by fear nor tempted by cupidity? Besides the ordinary magistracy the government had now at its service a well trained intelligence department. Scattered through every part of the country were the collectors and surveyors of the forty revenue districts. These in their quest for quit-rents and hearth money, for smugglers and illicit distillers, for hawkers and pedlars might be relied upon to furnish full particulars of the priests. And so in fact they did. The Lord Justices, 5th February, 1698, published a proclamation. The Romish prelates, they said, have been busy holding ordinations, especially of regulars, to appoint them to cures or parishes, so

that they may remain in Ireland, contrary to the Act. Moreover it is believed that many prelates will change their names and addresses, and remain in the kingdom. A return is to be made showing the name and place of abode of every priest on 27th July last, and if since removed whither and when, who succeeded him and from where, and if the successor has ever been reputed a regular. Finally all strangers come into the neighbourhood since 25th September are to be similarly reported on. At the same time the following instructions were issued:

WINCHESTER, GALWAY.

Wee thinking it necessary in order to his Majesties service and security and the peace of this kingdom that an account be taken of the number of the Romish clergy as well fryers as secular priests in Ireland do therefore hereby pray and direct you forthwith to send orders to such of your collectors as were appointed receivers of the late Poll tax with all convenient speed to make inquiry of the severall clerks who were employed in making up the Books of the said Tax within their respective districts and to inform themselves by such other ways and meanes as they see fitt what priests and fryars are now in each County Citty and Town and return to you their number and names, distinguishing the regulars from the secular clergy and noteing the places of their respective aboades which account when returned to you is to be laid before us and for so doing this shall be your warrant. 4 December 1697.

To the Commissioners for the managment of his Majesty's revenue

Of the returns made, a solitary one is preserved, owing to the fact that it passed from the Council Office into Archbishop Marsh's possession and so escaped the fire of 1711. This may excuse its being printed at full length.

A Particular Account of the Romish Clergy Secular and Regular in every parrish of the Dioceses of Dublin.

St. Andrew's parrish March the 2 1697[8].

Secular
- Edmund Murphy parish priest supposed vicar generall.
- Thomas Austin his assistant
- Neagle priest at Patrick Andrew's house in Bridge street.
- Patrick Luttrell at Wm. Daylys att the sign of the sun in Cooke St.
- Jeremiah Netterville Preist at the sign of the Harpe in Cooke St.

Regulars
- Thomas Marshall, James ffannin, James Egan, Christopher Farrell — All Dominican ffriars at the Convent in Cooke St.
- Bryan Kennedy, William Brynan — St. Augustine ffryers att the Convent in St. Andeon Arch.
- Edward Chamberlain — Jesuit living neere the Convent in Cooke St.
- Arthur Walsh — a Carmelite att the Convent in Corne Markett.

These are all that are at present to be found butt there are others who were lately in the parish that are now withdrawne and supposed to be sculking about the towne and they are as follows:

R. Johnson a Jesuit who did live att Mr. Synotts on Merchants Key.

S. Ignatius Carberry Priest, Michael Fitzgerald Priest — who both lived in Bridge St.

R. Clement Ash, Bryan Lehanny, Michall fflanelly — were formerly Augustine ffriers.

One Dalfin and some other ffriers whose names cannot be found out did lately belong to the Convent of Carmelites.

There are severall lay brothers belonging to each of the Convents.

St. Nicholas parrish:

S. James Russell, Valentine Rivers, Bryan Murray, Jerome Netervil, Patrick Luttrell, William Ryan, Emer Meginnis — Priests.

The seven secular priests above named are obliged to officiate and say mass in the Chapple of St. Michaels parish and no where else for the part of seven parishes, viz. St. Michaels, St. John, St. Nicholas, St. Werburghs, St. Audeons, St. Brides and St. Peters.

St. Michans parrish:

William Dalton parish priest Lodgeing at Figham off Brahams, Barber in Smith Field.

James Gibbons Priest Assistant to William Dalton at the Chapple in Channel row lodging at Mrs. Ellestons in Channel row.

John Linegar Priest Lodging at Widdow Lenigars in Church St.

Laurence Dowdall lôdgeing att Mathias Burgenes in Church St.

Richard Murphy priest lodging at Edmund Reynolds in Smith Field.

William Dardis parish Priest of Abby Lorha in the Co. of Longford living at Mathew Barritts in smith field.

R. John Weldon Capucin frier lodging at Luke Dowdalls in smith field.

St. Marys Parish:

S. Fergus Farrell priest Chaplain to the lady Castlehaven who lives in Capell St. neer the Mint.

St. Johns Parish:

S. Russell parish priest of St. Johns and titular Dean of St. Patricks Dublin living in Backlane.
No regular can be found in this parish.

St. Werburghs parish:

S. James Russell parish priest of the parish of St. Werburghs lodgeing at Mrs. Groghans in Cooke St.
No regular can be found in this parish.

St. Andrews parish:

S. Russell parish priest of St. Andrews Dublin.
No regular can be found in this parish.

St. Nicholas within the walls:

S. James Russell parish priest of St. Nicholas living in Cooke St.
No regular can be found in this parish.

St. Nicholas without the walls:

S. Dr Edmund Burne parish priest of St. Nicholas without the walls.
Dowdall assistant to Dr. Burne.
Terence Smith now in the country.

Regulars of the order of St. Francis:

R. Ignatius Kelly, John Handley, John Brady, Phillip Brady, Francis Cruse, Anthony Lynch, Dunlevi, Browne } Now in the country.

St. Peters parish:

No secular or regular clergy in this parish.

St. Bridgetts parish:

No secular or regular clergy in this parish.

St. Katherins parish:

S. Mr. Brofhy parish priest of St. Katherins
Thomas Cumberfort his assistant.
Valentin Rivers a priest only a lodger in St. Katherins parish but officiates in St. Michaels parish.

R. Bryen McTernan a Jesuite.

County of Dublin.

Donnybrooke and Rathfarnane Parishes.

S. Doctor Cruse Titular Archdeacon of Dublin living in the Co. of Kildare.

Thady Kelly parish priest of Rathfarnane Tallaght etc. he lives for the most part within the union of Tallaght.
Mr. Patrick Gilmore parish priest of Donnybrooke and Kilgobbin living for the most part within the union of Monkstown.
No regular clergy in these parishes.

Swords parish:

S. Christopher Walsh priest of Kinsally, Cloghnan and Swords living in Swords.
John Jones his Assistant living with him.
Thomas Smith parish priest of Mallahide living there at Mr. Talbotts.
Edmund Murphy priest of Killossey living at Rowlingstown in that parish.
There are no regulars in these parishes.

Parish of Lusk and Holmpatrick:

S. Fr. Joseph Walsh parish priest of both parishes living at Knockdrummon in the parish of Lusk.
Fr. William Shanley Assistant to the said Fr. Walsh residing at Bolcunny in the parish of Lusk.
R. Fr. Patrick McAnerrany at Rogerstown in said parish.
Fr. Whitehead at Gracedieu in the said parish.

Parishes of Donebate and Portraan:

S. Fr. Charles Ternan parish priest of both parishes living at Turvey.
No regular can bee found in these parishes.

Parishes of Howth Baldoyle Portmarnock and Balgriffin.

S. Charles Smith parish priest of Howth etc. living in Baldoyle.
No regular can be found in these parishes.

Parishes of Santry and Coolock:

S. Richard Cahill parish priest living at Artain in parish of Finglas.

Parish of Killsallaghan:

S. Scallery priest of the one part of Killsallaghan living at Dunsallaghan in the parish of Finglas.
Murphy priest of the other part of the parish of Killsallaghan living at Fieldstown.
No regular can be found in this parish.

Parish of Garistown:

S. Robert Tayler parish priest of Garristown living at Tobergragan in sd. parish.

Parish of Hollywood and Naal:

S. Owen Smith parish priest living at Mallahide in said parish.

Parishes of Ballrothery and Ballscadden:

S. Andrew Finglass parish priest living at Toberstown being 80 years old lame and blind.

John Coghran his assistant living in same house with him.
No regulars in this parish.

The Union of Clonmethan.

Edmund Murphy priest living in Rowlandstown in the Barony
S. of Castleknock hath the parish of Clonmethan in the Barony of Nethercrosse, the parish of Palmerstown in the Barony of Ballrothery, the parish of Killsallaghan in the Barony of Castleknock the parish of Killestry in the Barony of Coolock.

Robert Tayler priest living in Tobergragan hath the parish of Garristown and Ballmadun in the Barony of Ballrothery.

Owen Smith priest living at Mallahide hath the parish of Naal, Westpellstown, Hollywood Ballyboghill all in the Barony of Ballrothery.

Parish of Finglass:

R. Bartholomew Scully serves the parishes of Finglass St. Margarets and the Ward.

R. Fr. Kale serves the parish of Artaine living at Mr. Hollywoods.

Parish of Castleknock:

S. Patrick Cruse Dr Devinity living for the most part at William Andrews of Hollywood in the parish of Mallahide.

Walter Cruse his assistant lately kept at one Dempsies of Blancetstown in the parish of Castleknock.

No regular can be found in this parish.

Parish of Clontarfe:

R. Fr. Cole living at Mr. Hollywoods at Artaine serves the parish.

Parishes of Chaple Isold Palmerston and Ballyfernott:

S. Fr. Doile living in the parish of Eseher officiates in the whole union.

No regular can be found in these parishes.

Parishes of Newcastle and Kill:

S. Fr. William Brett parish priest of Newcastle, Fr. Dominic Dempsey parish priest of Kill, Fr. Patrick Duffy his Assistant.

No regular can be found.

Parishes of Rathcoole, Killteele Rathmore etc.:

S. William Brett parish priest of Rathcoole and Saggard living at Newcastle.

Dominic Dempsey living at Lyons in Co. of Kildare officiating at Rathmore by a substitute. Patrick Duffy his substitute living in no settled place.

Fr. James Eustace parish priest of Cradockstown living with Coll Richard Eustace in the parish of Ballymore Eustace.

Fr. Owen Pye parish priest of Killbride living on the mountains in the parish of Blessington.

No regular can be found in these parishes.

Parishes of Talloght and Clondolkin:

S. Thady Kelly parish priest of Talloght living in the ffarr house.
Oliver Doyle parish priest of Clondolkin living at Esker.
No regular can be found.

Parishes of Lucan Leixlip etc.:

S. Oliver Doyle priest of Lucan living at Esker.
John Duffy priest of Leixlip and Manooth usually lives at Cartowne in the parish of Manooth.
R. Daniel McKan Fryer living generally with Mr. Nothingham at Lucan sometimes at Major Allens of St. Woolstans.

County of Kildare.

Parishes of Castledermott Dunmonogs, Kilkea, Grange, etc.:

S. Henry Dalton parish priest of Castledermott, Dunmonogs, Kilkea Grange Nolron Killclan Kineigh and Granny officiates, living at Castledermot.
R. Edmund Shiel his Assistant lives and officiates in the parish of Killelan.
R. James Eustace a Franciscan lives and officiates in the parish of Dunmonoge.

Union of Killdraught:

S. William Tipper very aged living on his own inheritance in Tipperstown.
James Warren priest in the parishes of Killdraught and Straffan no certain habitation.
R. James Fitzgerald inhabiting commonly att Ardrass at one Captain Maurice Garretts in the parish of Killadowen.
R. Daniel Markee alias Marcan inhabiting commonly at St. Wolstans and Newbridge.

Parishes of Taghtow and Laraghbrine:

S. John Duff parish priest living at Old Cartown in the parish of Laraghbrine.
No regulars can be found in these parishes.

County of Wicklow.

Parishes of Brey Rathmichaell Stagonill als Powerscourt:

S. John Talbott living at Rochestown neare Dalkey in the parish of Monkstown and officiates as parish priest of Rathmichaell Killternan and Old Conoght.
Richard FitzSimons living at Kilmecanoage in the parish of Delgenny and officiates in the parish of Stagonill alias Powerscourt.
No regulars in these parishes.

Parish of Delgenny:

S. Seneca FitzWilliam parish priest of Delgenny and Newcastle.
Richard FitzSimmons parish priest of Killmekenoge.
No regulars in these parishes.

Parish of Monckstowne etc.:

S. Henry Talbott parish priest living at Rochestown Officiates at Cabbanteely Dalkey and Bullock.
Patrick Gilmare parish priest of Stillorgan living att Newtown on the strand and officiates at Butterstown.
No regulars can be found.

Wicklow and the United Parishes:

S. Maurice Bryan parish priest living at Ballynockan in union of Wicklow.
William Cavenah parish priest of Ballydonnell belonging to Wicklow and of Dunganstown belonging to the Archdeacon of Dublin.
Edmund McGin parish priest of Castro McAdam annexed to Wicklow and some other parishes belonging to the union of Arcklow.

R. Bemardine Plunkett } Fryars living at Croneroe in union of
Peter Cahel } Wicklow.

Parish of Rathdrum:

S. Philemon McAbe parish priest of Deralasaragh living in sd parish.
William Cavenogh parish priest of Innisbohen living in said parish.
Charles Byrn parish priest of Rathdrum having no settled habitation.
No regular can be found in these parishes.

Parish of Arcloe with the Parishes united unto it:

S. Patrick FitzWilliam parish priest of Arcloe living at Kilmicheil.
Edmund McGinn parish priest of Killmajig living at Bellana.
Charles Cavenagh parish priest of Inorcly living in parish of Enisbeen of which he is likewise priest.

R. James Cocklan priest of the Convent of Dominicans in Arcklow.
Thomas Caho one of the friers of the said Order and Convent.
Dominick Oran of the same.

Parish of Ballymore:

Owen McAntee.

Parish of Blessington:

No regular or secular clergy in this parish.

Parish of Hollywood:

S. Patrick Kernan parish priest, no regular clergy in this parish.

County of Kildare.

Parishes of Killcullen and Davidstown:

S. Bryan McCabe parish priest of Davidstown living at Blackhall.
John Kelly parish priest of Kilcullen living at Nicholstown.
No regular in these parishes.

Parish of Dunlavin:

Father Patrick [ ] parish priest living comonly at one Eustace of Calverstown.

Father Brian [ ] parish priest of Narraghmore having no particular place of abode.

No information wether they bee secular or regular.

Parish of Athy:

S. John Fitzsimons parish priest of Athy and the parts contiguous to it living in the town of Athy.

Manus Quigley living at Grangemellon with one Mr. Fitzpatrick.

Henry Dalton priest of parish of Moon officiates at Castledermott.

R. Richard Cuddy a Dominican Fryer living for the most part in Athy.

Parish of Fonstowne:

Brian McCabe parish priest living at Blackhall in parish of Dardstown.

Citty of Dublin parish of St. Pauls:

Fr. Dempsey parish priest of St. Michans is said to be a Titular Bishop and lodges att my Lady Clanmalieras in said parish.

William Darditt calls himself parish priest of Abby Lorha in the Co. of Longford he is said to be a Regular.

Fr. James Gibbons said to bee a Jesuit butt calls himselfe assistant to Fr. Dalton who is butt an assistant himselfe to ffather Dempsey.

Richard Murphy calls himself secular priest lodging now in Bridge St.

R. Fr. John Weldon Capuchin ffryer lodging in Smith field.

R. father Neterville a Jesuit lodges on the Key at Dr. Cruses house.

Father Bermingham sometimes in the parish of St. Pauls sometimes in Cooke street.

Parish of St. Jamess:

Return made by St. Katherines for both being united.

From the returns received from the several revenue districts the following digest was prepared:

Districts.	Secular.	Regular.	Observations.
Armagh	30	5	Whereof 1 Dean. [In] Barony of Cremorne [said to be] 14 or 15 friars.
Athlone	49	5	
Baltimore	9	3	
Cavan	30	8	Whereof 1 Dean and Vicar Generall.
Clonmell	37	15	Whereof 1 Vicar-Generall
Coleraine	14	2	
Cork Port	8	4	
Cork Excise	18	5	Whereof 1 Bishop.

Districts.	Secular.	Regular.	Observations.
Dingle	42	12	Whereof 1 Vicar Generall
Donoghedee	—	—	No Roll.
Drogheda	4	6	One Lord Abbot.
Dublin Port	5	27	
Dublin County	17	17	
Dundalk	11	6	
Ennis	42	14	
Foxford	49	42	
Gallway Port	19	13	
Gallway Excise	68	60	1 Bishop 2 Vicars-Gen. 2 Provincial 9 Priors and Guardians.
Kilkenny	26	13	
Killibegs	14	12	One Abbot, a great and dangerous Emissary.
Kinsale	7	2	
Limerick	9	9	
Lisburn	15	—	No distinction whether secular or regular.
Londonderry	1	—	
Maryburrow	32	5	
Mallow	52	6	
Naas	24	16	One Vicar-Generall.
Sligoe	33	29	
Strabane	17	1	
Strangford	27	6	
Trim	66	32	1 Archdeacon 1 Vicar-Generall 1 Bishop.
Waterford	21	8	1 Bishop.
Wexford	24	8	
Wicklow	12	5	
Youghall	6	3	
	838	399	Total 1,237.

The districts of Ballytrain, Belfast, Carrickfergus, Ballycastle, Larne, Newry, and Ross are wanting but returns came in later, making a total of eight hundred and ninety-two seculars and four hundred and ninety-five regulars.

Though the bishops, vicars-general and other dignitaries in many instances seem to have eluded observation, the fullness and minute accuracy of these returns show how completely the clergy were in the grip of the government. Unlike in the time of Charles II when priests were caught with the snare and bait as if, they were held now in a close net. What little hope the regulars had of

being able to keep in the country may be gathered from a few documents remaining in the "Parliamentary Returns." The following bears evidence of the haste with which it was drawn up.

In nomine Domini. Amen.

Congregatio Diffinitorii Dublinii hae die 15 feb 1697, sequentia punctae erant propositae.

Primum An expediat ut fratres se conferant ad partes ultra marinas juxta decreta Parliamenti ?

2^{um} An cum vel sine obedientialibus ?

3^{um} An fit supplicandum rectoribus Gubernii quo [dispensetur] decrepitis et senio confectis nostrae Religionis patribus ?

4^{um} Quid de novitiis ?

Monet venerabile Definitorium ut utensilia sacra et etiam domestica majoris momenti distribuenda inter Benefactores Conventibus magis addictos (qui proprio chirographo agnoscant ista recepisse hocque de consensu Discretorum Conventus). Injungimus ut hujusmodi nulla ant oppignorare aut alienare valeant eorumque inventorium in manu Syndicii relinquant. Advertendum in inventorio praefato specificandas esse personas quibus praefata bona fuerint comissa, illasque ac Syndicum non venditores esse ut nec bona nec inventorium ulli dent nisi de consensu communitatis istius conventus ad quos spectant vel Diffinitorii. Et guardianus quilibet teneatur exemplar istius inventorii transmittere ad Patrem Provincialem vel Diffinitorium istius plagae.

Ad 1^{um} R. Obediendum esse decreto Parliamenti.

Ad 2^{um} R. affirmative.

Ad 3^{um} R. Affirmative.

Ad 4^{um} R. transmittendos esse in aliquibus patribus gravibus.

De recordato R. A. P. Nostri provincialis et Diff.

A few of the inventories will enable one to realise the breaking up of the friars' households.

It is agreed by the consent of the Guardian and discreets of this Convent of Kilconnell that the goods of the Convent be disposed of as followeth :

1. A chestfull of books to Mr. Francis Blake of Ballinderry.
2. Chest full of books to Mr. Hugh McKige of Stiregan.
3. All our Vestments to Mr. Charles Daly, Calln.
4. To sell our brewing pan and pewter dishes and brass candle sticks, black potts, spitts and one brass Kittle to Madam A. Daly of Calln.
5. To sell all our tember to James McGuff, our chests, a cupard as also our genmells, beddsteeds, tabells and chayrs.
6. That all the ffathers may sell theyr oats and have it for to beare theyr charges and same to be divided by the Guardian to eatch of them respectively.

7. To sell all our barells bigg and small to James McGuff.
8. That all the Chattels and provision may be sold and distributed to the fathers respectively with the price of our farm and all the rest of our household stuff which distribution is to be don by the Guardian and discreets.

All the above acts were agreed on this 14th day of March 1697-8 by us.

fr. JOHN KELLY Guardian of Killconell
fr. BONAVENTURA BURKE Difr.
fr. A. K. Disc.

The following is the inventory of an Augustinian house in the same county, Galway.

The Inventory of the goods and chattels deposited in the hands of Mr. Augustine Bodkin of Cluncoighe by the friers of the Convent of Dunmore videlicet fr. Christopher Dillon pryor of the said Convent, fr. William Egan, fr. Symon Moran sub pryor of the said Convent is as followeth.

Imprimis 4 cowes whereof 2 are in calfe and the other two milch with their calfs, 4 strappers, 1 Bull of three years, 1 dry Cow, 2 heafers, 1 bullock of 2 yeares, 2 half yearlings, 3 mars whereof some in fole.

The household goods.

1 Copper pan which contains 2 Barrells, and 3 black potts, 1 Iron spitt, 6 brass candle stickes, 1 pewter flaggon, 2 pewter dishes, 3 half barrell casks, 4 Barrell casks, 3 Keews, 3 chesks, 1 long table and a short one, 2 small each to contain half a barrell, 1 wood fferkin, 1 small vessell, 1 payre of stools, 2 table clothes, 3 napkins, 3 towells, a mettle griddle, 1 Iron crowe, 1 picke axe, 2 spades, 1 wooden shovell with an Iron head, beside some wooden trenches, wooden chambeyrotts and some other small goods.

Whereas certain writyngs and agreements bearing date 10th ffeby past betwixt me the undernamed Augustine Bodkin and the friers of the Convent of Dunmore videlicet Christopher Dillon William Egan and Symon Moran touching and concerning the foregoing goods and chattels of the said Convent now deposited in my hands in trust as more at large may appear by the said written agreement—Know all men that I the said Augustine Bodkin do hereby and by these presents acknowledge to have received into my possession the goods and chattels mentioned in the above Inventory on trust for the above named friers and the said Convent and to no other end and intention than to preserve the same for the use of the said friers and Convent aforesaid. We therefore have hereunto putt our hands and fixed our seales the 19 day of April in the year 1698, etc.

In another document we find.

The true meaning of the said Agreement is that whereas an Act

of Parliament for banishing all papists exercising any ecclesiastical jurisdiction and all Regulars of the Romish clergy etc. We the said friars have therefore agreed and consented to put our trust and confidence in our well beloved Augustine Bodkin to take into his custody the said chattels and household goods to be kept for us and for our use in maner following that is to say the said Augustine Bodkin is to possess and enjoy the farm of Derrynegran (which now the said friars hold from him under a certain rent) for his own use, provided always that if the Government should dispense with the Catholic clergy so as not to transport us the friars of the said Convent and that we or any of us should come to live together again, the said Augustine Bodkin is to lett us have the said farm of Derrynegran according to our lease to the expirey thereof. April 19 1698.

Soon after Christmas, 1697, the Irish government made preparation for transporting the prelates and regulars. A proclamation was published 3rd January, 1698, which after reciting the Act, announced that shipping would be ready in certain ports named, and that the priests on going aboard would be at once discharged their recognisances. The process of shepherding them to the ports next went on. King William however, was getting anxious about the effect on the public opinion of Europe. The Lords Justices assured him that everything would be carried out with as little noise as possible.

Dublin Castle 10 Feby 1697-8.

Sir—We have received your letter of the 1st instant and will take care according to His Majesty's directions that shipping be provided for the transportation of the Regulars of the Romish clergy who are ordered by a late Act of Parliament to leave this kingdom and we likewise considered what money it may be proper to give to each of them for their present subsistence at the place of landing that we may observe his Majesty's pleasure therein. We remain etc.

Rt. Hon. Jas. Vernon Esq., WINCHESTER, GALWAY.

The contemporary flight of the Huguenots from France has been told by their pastors Benoit and Claude in memoirs which will be read as long as the French language exists. While the Irish *more suo* raised clamour enough no one set himself to gather the story of the exodus from the lips of the banished clergy. The loss of the official accounts is deplorable; much more do we miss those detailed narratives of personal suffering which alone would enable one to realize this terrible time. What life-story could be

of more moving interest than that of some O'Heyne or McHugh —smuggled as boys out to the continent to be educated—returning in disguise to exercise their ministry in bogs and mountains—hunted from the country in the days of the Popish Plot, and now again after a gleam of peace, driven forth in old age "to find" in the words of the Annalist "their graves in strange places and unhereditary churches."

The numbers of the priests shipped from the different ports during the early months of 1698 as reported by Captain South in the Philosophical Transactions for that year, were—

Dublin	....	....	153
Galway	....	....	190
Cork	....	....	75
Waterford	....	....	26

These were landed some in Lisbon, some in Corunna but most in the French ports, Nantes, St. Malo and Dunkirk. Of their subsequent fortunes we catch only fitful glimpses.

JAMES II TO ARMAND JEAN LATE ABBOT OF LA TRAPPE 15 MARCH 1698.

Reports from Ireland are just as bad [as from England.] The Prince of Orange heedless of all his fine promises to his allies—even during the peace congress at Ryswick, has sanctioned a new law for extermining "Popery." This law, which among other enactments, orders the expulsion of all Religious Orders has been put in force there by Ruvigny (Lord Galway) so that the unhappy religious are fleeing in crowds to France. Within a few months as many as 400 have fled. This puts a new burthen on me, and I feel the torture of seeing them with my own eyes dying of want, after having shared with them what I needed for my own support.

The Queen of James II, the gentle, pious Mary of Modena, writes to Madam Priolo in a similar strain.

I hope that on this occasion we shall have time to talk over things at our ease. Alas, it will be about very gloomy subjects for there are no others about which to speak. I cannot even keep myself from telling you outright in order to excite your compassion, and increase your devotion and that of all the dear sisters in their prayers. All the regular priests of the Irish mission numbering about 700 have been already hunted out of that country. There are just now near 400 of them in France, the others are in Spain and Portugal or in Flanders and Italy. I have seen several of them and they have touched me deeply.

They tell us of events in that country which make the heart bleed, and if this continues, to all appearance our holy religion will be uprooted in that kingdom and in others as well. I dare not dwell longer on this painful subject but I confess to you that I am full of it and so much affected that I do not want to see anyone.

Some months later the condition of the outcast priests apparently had not improved for we find Mathew Prior, the English ambassador in Paris writing to Lord Portland, August, 1698:

Collections have been made in all the churches of Paris for the poor Irish priests whom the late Act of Parliament sent from that kingdom. The Archbishop of Paris may be a very holy man but he is a very ill geographer if he takes Ireland to be La Grande Bretagne.

Secretary Vernon replied that he was glad of the Archbishop's charity adding "I hope the Irish friars will flock to him to partake of it and not slip over hither as it is apprehended." The sums thus collected amounted to about 35,000 livres. But the refugee priests found a still more influential benefactor. Early in August Queen Mary of Modena, wrote to the Duke of Tuscany bespeaking a good reception for Father Bermingham, provincial of the Irish Augustinians, and Father Garland, definitor of the Franciscans, who were on their way to the Pope to represent the state of the distressed clergy. As a result of their mission no less than 27,364 livres were granted by the Holy Father for the six months ending 17th January, 1699. From the accounts of the distribution we learn that the number of the banished clergy in Paris and the neighbourhood amounted to three hundred and eighty-three. There were one hundred and eighteen Dominicans, two hundred and fourteen Franciscans, twenty-six Augustinians, twelve Capucins, five Jesuits, five Canons Regular, three Carmelites (*y*).

When news of the penal legislation in Ireland reached the Continent and the expatriated priests began to be unloaded in scores at the different ports, a cry of anger and indignation went up through Europe. Its echo was heard in Ireland.

LORDS JUSTICES TO SECRETARY VERNON 6 JUNE 1698.

We have been advised that in several foreign courts, it has been industriously circulated that his Majesty's papist subjects of

(*y*) Spicilegium Ossoriense II, pp. 347 seq.

Ireland are persecuted here on matters of opinion purely. We have therefore caused to be collected a summary account of the several penal laws in force now in this kingdom against any persons of that persuasion and the ground or occasion of them, which we do herewith enclosed transmitt to you—if you think it proper—by a view thereof his Majestys ministers in the courts where these complaints are made, may be the better enabled to give an answer to them, that we hope may be satisfaction to all unprejudiced persons.

Not only were strong protests made to the English ministers abroad but the foreign ambassadors in England were instructed to bring pressure on the government. The greatest of the Catholic sovereigns, Louis XIV, was powerless. His treatment of the Huguenots put him out of court, and hence his instructions to Count Tallard, 2nd March, 1698, were merely to do what he could without leaving the English government any opening to bargain for the French refugees (*z*). The Emperor Leopold was in a different position. He had been the ally of William and without his help the conquest of England would have been impossible. Furthermore when William was setting out on the Irish campaign the Emperor exacted a promise that the Irish Catholics were to be guaranteed religious liberty. Two days after Louis had written to Tallard, the Emperor instructed Count Auersperg.

I have learnt with a heavy heart the accounts of the Catholics in Ireland and that the new legislation aims at the entire extirpation of the Catholic religion. This is in direct contradiction to the promise which the King made me at the beginning of his reign ; it violates the Treaty of Limerick ; is destroys confidence between allies of different religions. Nor will the evil be removed by the plea that the King had to give his sanction but that he will prevent the laws from being enforced. The King is mortal like other men, and when he is gone, these laws may be enforced in their full rigour. It is therefore my will and express order that you take the earliest opportunity to point out to the King not only the injustice of his policy but its inconsistency with his promise to me and with the Treaty of Limerick (*aa*).

Auersperg lost no time in carrying out his instructions. "Not only were the regulars expelled but the bishops also. Those who expelled the bishops," he told Secretary Vernon, "by making the

(*z*) Grimblot I, p. 281.
(*aa*) Der Fall des Hauses Stuart—Klopp. VIII, p. 202.

ordination of priests impossible, intended to extirpate the Catholic religion." Vernon pleaded that the measure was prompted solely by political prudence; the regulars especially being all Jacobites. The ambassador however, pressed the case, and Methuen, the Irish Chancellor, was sent by William to talk him over. "By order of the King I am to inform you that he fully mindful of his promise will act according to it. . . . . He could not refuse to sanction the bill but in many particulars it will not be enforced. No harm will be done to religion and there will be no violation of the Treaty of Limerick. . . . . The regulars have no houses; they live on alms, and the people are too poor to support them. Besides they are working night and day against the government. . . . . They cannot be tolerated but no dignitary will be expelled still less will Catholic worship be interfered with." When some weeks later Auersperg learnt that four bishops had been transported, Lord Galway wrote from Dublin "only one has left." Such is the game of blink, bluff and bargain known as diplomacy. What were the facts?

Of the twenty-five sees, the Roman authorities owing to the troubles, had ventured to fill only sixteen, the rest being held in administration. The sixteen bishops were:—

Northern province—Armagh, Dominic Maguire; Ardagh and Clonmacnoise, Gregory Fallon; Dromore, Patrick Donnelly; Derry and Raphoe, Laurence Lea. Western province—Tuam, James Lynch; Elphin, Dominic Burke; Killala and Kilmacduagh, Ambrose Madden; Clonfert, Maurice Donnellan. Cashel province—Cashel, Edward Comerford; Limerick and Killaloe, John Moloney; Cork and Cloyne, John Sleyne; Waterford, Richard Piers. Dublin province—Dublin, Peter Creagh; Kildare, John Dempsey; Ossory, William Dalton; Ferns, Michael Rossiter.

As has been seen, the revenue officers in their search for ecclesiastics exercising papal jurisdiction, had been able to locate only three bishops, viz., Clonfert, Waterford, and Cork. It may be interesting to trace the fortunes of the others. The Primate, Dominic Maguire, was living at St. Germain on a pension obtained through Pere La Chaise; the archbishop of Dublin was maintained by a charge on the abbey of Marmoutier in the diocese of Strasburg,

the archbishop of Tuam lived at St. Amand near Tournay on the charity of the abbot.. The bishop of Elphin found refuge in the Irish Franciscan house at Louvain. Drs. Moloney and Fallon were supported by their friends in Paris. All these had been outlawed at the Revolution and had not dared to return. In April, 1698, bishop Dalton of Ossory and Dempsey of Kildare in obedience to the proclamation set sail for France, Rossiter of Ferns, Madden of Killala, and Lea of Derry being only bishops-elect put themselves upon the people and took their chance at home. The archbishop of Cashel and the bishop of Dromore will be met with later on in these pages ; it remains to record the proceedings against the three bishops whose habitats had been discovered.

The bishop of Clonfert long eluded capture but he was run to earth at last.

Council Chamber Dublin, 30 April 1703.

Whereas Donelan a titular popish Bishop stiling or calling himself Bishop of Clonfert was on the 30th day of March last with great force and violence and against the known laws of this kingdom, rescued and taken out of the custody of William Elliot, Neale Mountgomery, Edward Jones and William Feddericks in her Majesty's high way in the County of Galway by a great multitude of persons near 300 in number, some whereof were mounted on good horses and well armed and others on foot (the said popish bishop being before that time apprehended and then in custody as aforesaid by virtue of a warrant from one of her Majesty's Justices of the Peace for the said County) to the great terror of her Majesty's good subjects and endangering the peace of this kingdom. And the said William Elliott, Neale Mountgomery, Edward Jones and William Feddericks had their arms taken from them and broken ; and the said Jones and Mountgomery were in the said affray so greviously wounded that they are in danger of losing their lives ; since which time the said rioters are dispersed but the influence and power of the said titular popish bishop and other the popish clergy and gentry in that country is so great that few or none of the said rioters can be discovered, and the said bishop is relieved, harboured and concealed by persons evilly affected to her Majesty's government.

We therefore strictly charge all her Majesty's officers in this kingdom within their several jurisdictions to make diligent search after the said titular popish bishop and after all persons who were aiding in the rescuing of him, to apprehend and send to gaol the said bishop and bind the said rioters with sufficient security to appear at the next general assizes. We require the

Sheriff of the said county to make use of the power of his country for the apprehension of said bishop if the same cannot be otherwise done. And for the better discovering the said bishop, whosoever shall apprehend him or discover where he is so that he may be apprehended shall receive fifty pounds over and above what they are entitled to by any former law or proclamation.

The bishop, who at this time was verging on seventy, soon after found relief, harbour and shelter in the grave. More fortunate however was Richard Piers, bishop of Waterford. He managed to hide himself so well that his neighbour the bishop of Ossory on arrival in Paris, June 1698, was only able to tell the Nuncio "it is reported he is in Spain." For nearly two years and-a-half he lay *perdu*, and at length after some narrow escapes reached Paris towards the close of 1701. Of the bishop of Cork we have ample particulars. Arrested in 1698 he lay in Cork gaol for nearly three years without apparently attracting much notice. But some strange reports about him began to get out. It was said that he was celebrating mass and worse still ordaining priests in gaol. At length the scandal of his not having been transported stirred the Dublin executive into action.

BERKELEY, GALLWAY.

Whereas it hath been represented unto us that John Sleyne Titular Bishop of Cork now in the Gaol of the City of Cork where he has continued some years by reason of his Indisposition as he pretends, does there exercise his Function by frequent Ordinations. These are therefore to will and require you in pursuance of the power given unto us by an Act of Parliament made for banishing all papists exercising ecclesiastical Iurisdiction out of this kingdom before the 1st day of May 1698, to cause the said John by the first convenient opportunity that shall offer to be Transported beyond Seas out of his Majesty's Dominions whereof all persons whom it may concearn are to take notice and for so doing this shall be a warrant. Given at his Majesty's Castle of Dublin the 10th Day of March 1701. By their Excellencies Commands. To the Mayor and Sheriffs of the City of Cork and all others whom it may concern.

This warrant apparently did not admit of much parley yet strange as it may seem the bishop remained untransported for two years longer. By that time the scandal had grown to national dimensions and the Committee of Grievances in Parliament took

up the case. The correspondence that followed is still preserved. It will be convenient to take first the letter of the Rev. Roland Davies, Protestant Dean of Cork, though latest in point of date.

Dawestown 4 Oct. 1703.

Sr—I received yours of September the 17 with an order enclosed for the Committee of Grievances requiring me to lay before them all fresh examinations and other papers as I have relating to the stay of the Titular Bishop of Cork in Ireland after the time prefixt by the Act of Parliament for his exportation as also concerning his exercising Ecclesiasticall Jurisdiction while he staid and likewise to give them a full account of all things that I know relating to that matter. And indeed Sir I would readily pay obedience with the greatest satisfaction to the said order if I had any such examinations or papers in my custody as they require. But uppon my word I have not the least scripp by me relating to that affair but whatever examinations I took at any time of that nature I took care to deliver them to the Clerk of the Crowne at the next following Assizes and therefore suppose that (if in being) they are recorded in his office. I know very well that Dr. Sleyne the titular Bishop of Cloyne and Cork did continue in Cork some years after Regulars were exported and that many complaints were made by the Gentry and an address by the Grand Jury of the County for sending him away. But upon what account or by what means he was so long detained I declare that I am a perfect stranger to it. But as to the other particular I do well remember that about two years since one Dominick Gough a papist priest (who had been assistant to another in the parish of Youghall) complained to me as his friend that uppon the death of that other priest he was chosen by the people to succeed in that employment and had a promise from the said Titular Bishop to be established in it. But wanting money to pay for his title the titular Bishop afterward rejected him and did institute one Richard Harnett alias Hartnedy to be priest of the said parish. That Harnett thereupon came to Youghall and showed his institution to the said Gough and required his submission to it according to the canon but Gough believing that the said titular Bishop could not stay long in Ireland nor consequently exert any further dominion over him, refused to submit unto his order and continued notwithstanding to celebrate mass and do other offices as formerly in the town of Youghall. Whereupon the said Titular Bishop proceeded against him for it and he being contumacious, he decreed him excommunicated and Harnett thereupon publickly denounced him such in Youghall. I therefore knowing these proceedings to be exorbitant took this information from Gough uppon his oath and delivered it to the Clerk of the Crown at the next following assizes and uppon it an indictment was framed

and Harnett was afterwards tryed and acquitted for want of prosecution but the titular Bishop being sent away in a little time after that information was returned by me there was no further prosecution against him. I have alsoe heard from some very good hands that there were some proceedings about the same time before the said Titular Bishop in a matrimoniall cause between John Bryn and Joan Walsh both of the Diocese of Cloyne but he was also sent away before he could give sentence in it and soe being undetermined by him it was commenced afterward in the Consistory Court of that Diocese. This is all uppon my word that I know or can give an account of in relation to that matter. I hope the Committee will believe that I have not much friendship for that party or their abettors as to conceal anything in favour to them which on so many accounts I am oblidged to discover.

I am with all sincerity your most affectionate humble servant ROW. DAVIES.

Endorsed—For Dr. Marmaduke Coghill these in Dublin.

Someone was to blame for the delay in transporting the bishop. And the correspondence did not clear up the matter. On the 27th July, 1702, John Terry, Augustus Carr, with their fellows of the Grand Jury of Cork at the Summer Assizes presented the Popish Bishop and the Popish Vicar-General for exercising ecclesiastical jurisdiction contrary to the Act in that case made and provided. The presiding judge referred the matter to the Dublin Council.

Dublin Castle, 8 August 1702.

Sir—The Lords Justices have desired me to send you the enclosed Warrant for the Transportation to Portugall of the Titular Bishop of Cork and a Fryar and also of one Martin a Fryar, which will be brought you from Lymerick, order being sent thither by this night's post to send him forward to Corke. I am likewise commanded to acquaint you that what charges you are at in the Transporting these Fryars etc. will be repaid you by the Government upon notice thereof sent to Sir. Your most humble servant J. DAWSON.

To the Mayor of Corke.

[Enclosure].

MOUNT ALEXANDER, THO. EARLE AND THOMAS KEIGHTLEY.

Whereas by an Act of Parliament made for banishing all persons exercising any ecclesiastical jurisdiction and all regulars of the popish clergy out of this kingdom before the 1st day of May 1698 etc. and whereas Dr. John Sleyne Titular Popish Bishop of Cork and Cloyne and Peter Morrough Titular Vicar-General of the Diocese of Corke committed and now remaining in custody pursuant to the said Act and whereas we have ordered Dr.

Martin a Convicted Fryar now in Gaol at Lymerick to be sent from thence to Corke to be transported likewise according to the said Act. We do hereby signify our will and pleasure that the said Dr. John Sleyne, Peter Morrough and Martin and such other convicted Regular clergy as are now there shall be transported from Corke to any port in Portugall and there set on shoare and we hereby direct and require you to cause them to be put on board the first ship that shall be bound to any of those places in order to their being transported thither pursuant to the said Act. And for so doing this shall be your warrant. Given the 8th day of August at his Majesty's Castle of Dublin. To the Mayor and sheriffs of the Citty of Corke.

The bishop was not transported and the reasons do not appear but a few months later he succeeded in getting a statement of his case into the hands of the ambassador of the Emperor in London.

Most Excellent,

John Bapista Sleyne Bishop of Cork and Cloyne eighty yeares old and laden with infirmityes and weaknesse having bin five yeares kept in close Prison, viz. from the yeare 1698, most humbly shews that lately at a generall sessions held for the Queen in the Citty of Corke the Petitioner was convicted before the Judges because he had not departed this kingdom with other dignitaryes and Regulars of the Church of Rome then perpetually banished this kingdom under the penalty of perpetuall Imprisonment or during life. Now by the order of the said Judges it is decreed that after soe long imprisonment and hardships your Petitioner shall be banished for ever (to some Islands which he knows not) in this vigorous winter season and in the time of warr. Your afflicted Petitioner believes that it is beside the intention and knowledge of her Majestie that such severity is putt in execution and hopes she will mercifully spere his old age and gray hairs filled with infirmity and misery. Seeing now nothing remains for him but a Grave. If your Excellencie out of your tender regard to God's cause and the Church should interpose with her Majestie in this thing and opose this cruel sentence it is in the power of her Majestie and her Lieutenant to suffer the Petitioner to spend the few dayes he has yet remaining, in his native countrey either in or out of Prison and if it should be necessary for his liberty he would give security of the ablest men not to doe anything to the prejudice of the publicke. Soe your afflicted Petitioner lying under difficulty most humbly prays, who will never leave of imploring the divine goodnesse for the prosperity of your Excellencies soul and body.

JOANNES BAPTISTA SLEYNE,
Epus ut supra.

Dr. Sleyne Bishop Corke Copy of his Memoriall to Count Wratislaw

and sent over to the Lords Justices by my Lord Rochester. Handed in by Mr. Keightley 27 Oct. 1702.

This petition put the Lord Justices in an embarrassing situation. It was their business to see the bishop transported, but yet his transportation would have to be explained away to the satisfaction of the ambassador. Accordingly two letters were despatched on the same date (9th January, 1703), to the Mayor of Cork. The first required of him forthwith to show cause why the Popish bishop had not been transported in accordance with the Council's instructions to him, 8th August previous. The second was equally emphatic in directing him to stay all further proceedings against the bishop until the further pleasure of their Excellencies was known. One was evidently for use at the English Council, the other could be produced by Rochester to humour the ambassador. But no further steps were taken in behalf of the bishop.

Dublin Castle 19 January 1703.

My Lord—We lately promised your Excellency our thoughts upon a Memoriall you sent us of Dr. Sleyne the Titular Popish Bishop of Corke which you received from Count Wratislaus the Emperor's Embassadour and having Informed ourselves of the proceedings relating to that Bishop we must acquaint you that in August last my Lord Chief Justice Pyne laid before us the Inclosed Presentment of the Grand Jury of the Citty of Corke by which your Excellency will see the Bishop was presented for Exercising Ecclesiasticall Jurisdiction contrary to an Act of Parliament and your Excellency may remember when his stay was connived at by his late Maiestie it was uppon that condition that he should not exercise any such authority which he engadged faithfully to observe, but he having broke his promise and the Gentlemen of the country complaining of his behaviour and that he was not transported according to the Act of Parliament we could not forbear signing an order for his transportation to Portugall which we accordingly did on the 8 of August and sent it to the Mayor of Corke with directions to putt him on board the first shipp bound to Portugall and he had notice of it which he has signified under his own hand though in his Memoriall he asserts he was to be transported to some Islands which he knows not; but our orders were never executed for the reason you will alsoe see in the enclosed letter from the present Mayor of Corke to Mr. Dawson. We return you the bishop's Memoriall again and having thus laid the whole matter before you, shall expect your Excellencies further directions concerning him.

Wee are my Lord Your Excellencies most humble servants,

Earl Rochester. MOUNT ALEXANDER, THO. KEIGHTLEY.

[Reply].

Cockpitt Jany the 30 1703.

My Lords—I had the opportunity yesterday to lay before the Queen at the Cabinett Council your Lordship's letter of the 19th Instant relating to the Titular Popish Bishop of Cork and have received her Maiestie's Command to send you directions that your own order of the 8 of August last for the transporting the said Popish Bishop to Portugall be putt in Execution. You will therefore take care accordingly and some particular directions must be given to the mayor of Corke to be more diligent in the observing your orders for that by his own account to Mr. Dawson it was taken notice of here his reasons were very slender for not having done as he was directed. I am my Lords etc.

Lords Justices 30 Jany 1703. ROCHESTER.

The Mayor of Cork, John Whiting, had replied to Dawson that the order of 8th August was not carried out as no vessel was sailing to Portugal. This difficulty now seems to have vanished.

Dublin Castle 9 Feby 1703.

Sir—In my letter of the 9 of last month I acquainted you with the Lords Justices pleasure that no further prosecution should be had against Dr. Sleyne the Titular Bishop of Cork until you received their Excellencies further directions therein. And their Excellencies having considered again of that matter have commanded me to lett you know it is their express pleasure and command that you cause the said Popish Bishop to be put on board the first ship that shall be bound from Corke to Portugall and that you agree for his Freight which the Collector of your Port will immediately pay the charge of to you or your order. Be pleased to give me an account of what you shall do herein for their Excellencies further consideration. I am Sir your most humble servant J. DAWSON.

To the Mayor of Corke.

With the departure of Dr. Sleyne in the beginning of March, only two bishops were left in Ireland, both unknown to Government. These were Donnelly of Dromore and Comerford of Cashel. Their fate we learn from a letter written from Paris 5th December, 1708, by Piers, bishop of Waterford to Cardinal Gualterio. "Toute Royaume d'Irelande est a present sans eveques; il n'ya que deux dont l'un est en prison et l'autre fort vieux et hors d'etat de rendre aucun service." So that the sections of the Act 9, William III, c. 26 for the banishment of the bishops were entirely successful. They were only partly so in respect of others exercising ecclesiastical jurisdiction. We find Richard Maginn, vicar-general

of Dromore, and John Verdon, vicar-general of Ardmagh, refugees in Paris where they were supported by a pension from the pope. The following will illustrate the proceedings against some others.

I certifie that at a Generall session of Assizes and generall Gaol Delivery, held at Clonmell in and for the County of Tipperary the 14th day of April 1699, Darby Mara was indicted, Tryed and Convicted, for that he being vicar generall of the Diocese of Emly, did not transport himself beyond the seas out of his Maiesties Dominions before the 1st day of May, in the 10th yeare of his Maiesties Reign, according to the statute in that case made and provided, but remained in this kingdom, in contempt of the said Statute and contrary to the Form and Effect thereof, at Emly, the second day of July in the aforesaid year of the Reign of the King. Whereupon it was ordered by the Court that the said Darby Mara should be committed in custody without Bail or Mainprise until the Government please to dispose of him. Signed by order THO. BARNES Dep. Cl. Cor.

A few months later the vicar-general of a neighbouring diocese was convicted and transported.

BERKELEY, GALLWAY.

Whereas we have received an account of the Right honorable the Lord Cheife Justice pyne that Mathew Maloony who has layn in Goal at Lymerick about a yeare, was committed pursuant to the Act of Parliament for banishing all persons exercising any ecclesiasticall jurisdiction and all Regulars of the Popish clergy out of this kingdom, he having contrary thereunto remained in this kingdom after the first day of May 1698 and whereas he has likewise represented unto us that the said Mathew Malooney was in his tryall last lent Assizes convicted as being a popish Vicar Generall. We do therefore in pursuance of the power granted unto us by the aforesaid Act, will and require you forthwith to cause the said Mathew Malooney to be conveyed in safe custody from Lymerick to the Citty of Cork and there delivered to the Mayor who is required to cause him to be secured without baile or mainprise till he shall be transported beyond seas out of his Maiesties Dominions as by the said Act is directed wherein the said Mayor of Cork is to give his best assistance and for so doing, this shall be to you and all others herein concerned a sufficiant warrant. Given at his Majesty's Castle of Dublin the 2nd day of September 1699.

To the High Sheriff of the County of Lymerick or to the Mayor of the City of Lymerick to the Mayor of Cork and all others whom it may concern. By their Excellencyes commands

H. MAY.

Doubtless the sheriffs, mayors and others loyally performed

their duties, but the Catholic sailormen did not account themselves amongst those whom it concerned to see to the transportation of priests.

Council Chamber, Dublin, April 30 1703.

Whereas we have received information that Morrogh a titular Popish Vicar General who was (pursuant to the laws in force in this kingdom) put on shipboard in the harbour of Cork in order to be transported, and being so on board hath made his escape and is now harboured and concealed by evil disposed persons, and acts as Vicar Generall since making such escape, to the great contempt of her Majestie's authority; we have thought fit to declare that whoever shall discover the said Morrogh so as he may be apprehended shall receive the sum of twenty pounds for so doing which said sum shall be paid upon his or their producing a certificate under the hand of the Judge of Assize before whom the said popish Vicar Generall shall be tried and convicted and that all persons who shall in any way harbour or conceal him shall be proceeded against with the utmost severity of the law. And we do require all magistrates and other her Majesty's good subjects to use their utmost diligence in taking and apprehending the said Morrogh to the end he may be punished according to his demerits.

It remains now to consider how far the Act was successful in driving the members of the religious orders out of the country. The revenue officers, it will be remembered, returned four hundred and ninety-five regulars as known or reputed such, though it is probable the actual number was much greater. Of these, four hundred and twenty-four were transported in the early months of 1698 leaving about seventy who might be identified. An active pursuit of those who contemned the law was now begun. Soon several were captured. But government was in no haste to transport them; the rigours of an Irish prison were a sure deterrent to their returning to the country in future. Information however was conveyed to Hoffman, the German ambassador in London. The result we learn from a despatch of his to the Emperor Leopold, 21st August, 1698.

Some days ago the two priests who were in gaol viz. a Capuchine and a secular priest were sent off to France, having previously entered into recognizances as the law requires. They did so the more readily as they were threatened that on refusal they would be put on trial as priests and consequently charged with high treason. But as they are sent out by one door they can come

back by another without incurring any other penalty than another expulsion. For the government officials are glad to get rid of them in this way. These are not at all pleased when over-officious informers bring a priest to them as they must put him in prison lest the informer should report themselves for not carrying out the law. But in such cases the imprisonment is not rigorous because the King pays well for their board and lodging, and as a rule permission is given them to go outside the gaol accompanied by a warder (*bb*).

This of course was official palaver, similar to the promises made to Count Auersperg that no bishops should be banished. But those who know the state of the Irish prisons of the time as revealed by the Commons Report a few years later, can judge what prolonged confinement in Newgate or the Black Dog meant. As for the statement that the government officials were glad to get rid of the friars by shipping them out of the country the records of the religious orders show that many were kept several years in gaol and some ended their lives there. Even the unfrocked friar was treated with the same impartiality of rigour as his brethren.

To their Excellencies the Lords Justices and Generall Governors of Ireland.

The humble petition of John Collman, Carmalett fryar from the County of Galway.

Humbly Sheweth—That your Petitioner coming here to the Citty to perform his due obedience according to the Act of Parliament to be transported out of his Maiesties Dominions and before he could got his peticon preferred he was taken prisoner and comitted to the Geale in Back Lane where your poor Petitioner will undoubted perish unless transported otherwise relieved.

That also your poor Petitioner dare not appeare in Spaine France or Italy uppon the Account of father Joseph Power, Provinciall of his order which (*sic*) came from Roome with farren jurisdiction from the Pope in order to gether his fryars to a meeting in the Citty of Dublin and in severall other parts of this kingdom to which meetings your poor Petitioner was called which tould them publickly that farran jurisdiction and unlawfull meetings was absolutely prohibited by the government uppon which Account your poor Petitioner was suspended and severely punished by this father Power for telling him that I should acquaint your Excellencies of his private meetings, uppon which Account and fearing a warrant to be granted against him he made his escape to England and from that to France where he wrote

(*bb*) Der Fall des Hauses Stuart, Klopp B. VIII, 209.

letters to all convents in the aforesaid kingdom to take up your poor Petitioner and to use him with the utmost severity of their law as the Bastile and the Inquisition. This petition I can make out every word to be true by good Protestant witnesses and more of my sufferings uppon the same account which is so publickly known to the Roman Catholicks that they would see me starve to death before they would relieve me.

The premisses tenderly considered may it please your Excellencies to order your poor Peticoner's enlardgement or to be transported into Holland or some Protestant country with some allowance to relieve his miserable condition. JOHN COLLMAN.

LORDS JUSTICES TO THE MAYOR AND SHERIFFS OF DUBLIN 12 JULY 1698:

John Collman owns himself to be a Carmelite fryer and is in Custody at Dublin for not departing this kingdom before the first of May last. Wee require you on the first opportunity of shipping from this port to cause the said John Collman to be transported into Holland and from thence he is not to return into this kingdom under the penalty mentioned in the Act.

The following is a further illustration of the spirit in which the Act was enforced.

To their Excellencies the Lords Justices of Ireland.

The humble petition of Francis Dillon a poor franciscan fryar of Athlone.

Humbly Sheweth

That your Petitioner in obedience to an Act of Parliament lately passed for banishing all papists exercising any ecclesiasticall jurisdiction aud all regulars found in this kingdom, repaired to this Citty before the 1st of May last carryed on a Wheel Carr, not able to ride on horseback or goe on foot being decrepitt for two yeares last past by a dissolution of his hip bone and your Petitioner by meanes aforesaid being rendered utterly disabled to goe beyond the seas pursuant to the said Act hath humbly besought your Excellencies to extend mercy and compassion to your poor Petitioner by relieving him or providing a competent maintenance for his support or otherwise to prescribe a Method Whereby he might without offence to the Government receive the charity of his acquaintance where he formerly lived till he were in a condition to depart the kingdom. Which being referred to the hon. Justice Coote he sent a Doctor to visit your Petitioner who made him his report of your Petitioner's condition which report was made to your Excellencies severall times since containing a true state of your poor Petitioner's great infirmity and distressed condition going on crutches and for the most part bed rid, and hath recommended your Petitioner to your Excellencies' reliefe. That your poor Petitioner hath

hitherto patiently expected and hoped for your Excellencies favourable answer and order on the petition. And being in long attendance [he] hath contracted Debts for his Diet, lodgeing and apparell till on munday the 17th of this Instant October some of your Excellencies' messangers came to your Petitioner's lodgeing and took him before the Hon. Justice Coote and from thence to the Lord Chief Justice Poines where after Examination he sent your poor Petitioner to Goale where now he perishes for want of all manner of requisites and inasmuch as your poor Petitioner hath not concealed himselfe but to the utmost of his power hath given due obedience to the Law. May it therefore please your Excellencies in your great charity and goodness to order the said Debts contracted by your Excellencies' Petitioner to be paid, to appoint any reasonable maintenance for your Petitioner in this Citty till he be in condition to goe beyond the Seas and to release your Petitioner out of Goale where he cannot without eminent danger of his life live long being in the condition he is now in. FRANCIS DILLON.

Dublin Castle 27 October 1698.

The state physician and state surgeon were ordered to examine Father Dillon and they reported "It is our opinion (that the hazard of a voyadge in the winter being excepted) notwithstanding of that lameness which he complaineth of, he may be transported beyond seas without any damage of his life or health." Their Excellencies however took the hazard.

LORDS JUSTICES TO SHERIFFS OF CITY OF DUBLIN 24 NOVEMBER 1698.

Whereas Francis Dillon a Franciscan fryer hath petitioned us . . . . . and wee having directed Sir Patrick Dunne Knt. phisitien attending his Maiesties state here and Charles Thompson, Esq. Chirurgeon Generall of the Army to visit the said Fr. Dillon and report unto us whither he be in such a state of health as may admitt him to be transported beyond the seas pursuant to the Act of Parliament and the said Sir Patrick Dunn and Charles Thompson having made their report. . . . Wee require you the first oppertunity to cause the said Francis Dillon to be put on board ship bound from hence to some port beyond seas out of his Maties Dominions. You are to take particular care to see the same effectually done.

If the sick friar or the knavish one was not exempt from transportation neither was the one who had shown friendliness to Protestants.

The humble petition of John Dolphin parish priest of Killowdemor in the Countie of Gallway.

Sheweth. That your Petitioner during the late troubles in this kingdom lived peaceably and in good repute among his Protestant neighbours doeing them many friendly offices and preserving them as much as lay in his power from the injuries and oppressions they lay under. That your Petitioner being reputed a Regular (notwithstanding that he is and was parish priest of the aforesaid parish before the late Act against the Regular Clergie in this kingdom passed) he is therefore in danger of incurring the peanalties of the said Act. That your Petitioner's case hath heretofore bin represented to your Excellencies by Sir Thomas Southwell and severall other persons of quality and that your Petitioners kindness to the Protestants in those times having bin ill represented beyond sea your Petitioner hath great reason to fear That if he was transported into any forreigne country he would undergo very severe usage there by reason thereof and besides that your Petitioner being an infirm man ii would greatly endanger his life. The premisses considered may it please etc. JOHN DOLPHIN.

The Lords Justices Winchester and Galway on 7th June, 1698, referred the petition to Robert Rochfort and Allan Brodrick, the Attorney and Solicitor-General. They reported four days later:

We do find by the testimony of Sir Thomas Southwell, Robert Foulke Esq. and severall other Protestants that were prisoners in Galway that your Petitioner behaved himself towards them with great humanity and Christian temper, publickly in the Court before the Judge of Assize and elsewhere protesting against the Injustice and Barbarity of their treatment and confinement and did them all the good offices in his power while prisoners in Galway. The Petitioner doth not appear to us to be a Regular much less to have exercised any ecclesiasticall jurisdiction. If he deport himself as becometh a good subject and never presume to take upon himself any popish jurisdiction wee believe he may for the future be connived at by his Neighbours. Nevertheless if he be prosecuted and presented as a Regular by any person knowing him to be such we are of opinion it will not be proper for your Excellencies to interpose in favour of any person whatsoever his desserts may be, or obstruct the execution of so necessary a law.

Though by the end of the year 1698 the great majority of the obnoxious ecclesiastics had been driven out of the country, we have still abundant evidence of untiring activity on the part of the executive. During the four years, 1698-1701, there is a series of proclamations minatory and promissory dealing with the subject. The Lords Justices and Council on 27th June, 1698, had infor-

mations that many regulars had passed for seculars, that henceforward all sheriffs were to keep registers of the popish secular clergy containing their names, abode, parish, barony, with their length of service, and further that every change of abode should be recorded. Again on 13th September, 1699, their Lordships say that many of the regulars banished the previous year were returning. The statute was recited and the penalties for returning set forth in detail while the proclamation concludes with a table of rewards for apprehending the offenders. Another proclamation 28th February, 1701, orders popish secular priests at their peril to send to the high sheriffs within twenty days their name, abode, how long they had been in the parish where they officiate, and on their removal to notify the sheriff whence they had come, and the full particulars of their new abode. An abstract of a proclamation issued 25th November, 1701, may here be given.

ROCHESTER.

We having received fresh information from several parts that in open defiance of the laws several Papists exercising ecclesiastical jurisdiction and regulars of the Popish clergy do remain in this kingdom; and that several other persons are returned, which we look upon can be to no other end or purpose but with design to seduce his Majesty's good subjects from their allegiance and sow sedition.

And on this occasion we cannot but take notice of the general neglect of the several magistrates and ministers of justice in this kingdom and the officers of the revenue in the several ports who have been wanting in their duty in putting the laws in execution by whose neglect chiefly the several offenders are emboldened to continue, come or return into this kingdom. We therefore strictly charge all the officers of his Majesty's revenue in this kingdom in the several ports, creeks and harbours thereof, to take an exact account of all passengers coming in any ship, vessel or boat and on suspicion to carry or convey such suspected person or persons before the next magistrate or justice of the peace who is hereby required to deal with him according to the known laws, and the said officers are required from time to time to certify the clerk of the Council of their proceedings herein.

And for the better encouragement of such person or persons who shall be active in the discovering of such offenders, we hereby promise and declare that the sums following shall on application to us be immediately and without any charge, fee or reward, punctually paid to the person or persons who shall discover such offenders; that is to say:

For every such titular Popish Arch Bishop or Bishop the sum of one hundred pounds.
For every such pretended Vicar General or Popish Dean or other Regular Popish clergy exercising ecclesiastical jurisdiction the sum of thirty pounds.
For every such Jesuit, Friar or Monk, ten pounds (*cc*).

Doubtless these rewards put renewed vigour into the Act. The sums would be five times their present value, and in those evil days there were not wanting men who for the sake of its emoluments followed the profession of Priest hunting. A report of two of these may be seen in the Southwell Papers.

Arch Bishopps and Bishopps and Lord Abbotts.

Doctr. Dominicke Lynch Archbishopp of Tuam.
Doctr. McMahun Lord Abbott of Mellefont.
Doctr. John Dempsey Bishopp of Kildare.
Doctr. Madden Bishopp of Ellfinn.
Doctr. Donnellan, Senior, Bishopp of Clonfart.
Doctr. Pierse Bishopp of Waterford and Doctr. Sleyen Bishop of Corke.

Vicar Genlls

Doctr. Burke Vicar Generall of Tuam.
Doctor Donnellan Junior Vicar Generall of ————
Doctr. Tully Vicar Generall of Killmedough.
Doctr. Cruss Vicar Generall of ————
Doctr. Rossetor Vicar Generall of Wexfoord.
Doctr. Plunkett Vicar Gen of Meath.

Coadjutors.

ffather Richard ffitzsimmons of Wicklow.
ffather Tuite of Meath.
ffather John Talbot of ————

ffryers.

ffather Molloy Guardian of the ffranciscan fryers in Wexfoord.
ffather Essmond, ffather Down, ffather Dolphin all ffranciscan ffryers, ffr. Augustine Maddin a Dominican, ffr. Wooten, ffr. Murphy, ffr. Malikahy, ffr. ffalvey, ffr. ffine, ffr. Tindall, ffr. Nary, ffr. Grady supposed by the Romans to be a spye, he lately clameing the Reward of 20 li for two priests.

Doctr. Sleyne Titular Bishopp of Corke } By Bermingham and Ryan

Doctr. Cumberfoard pretended parish preist of Therlous in the Co. of Tipperary. Ar. Bishopp of Cassell, Cumberfoard's bull was brought from Innocent the twelve by one ffather Owen fferress now parish preist in the Diocese of Kerry in the County of Kork. } Ryan.

(*cc*) The proclamation also has reference to foreign military officers returning, for whom rewards varying from £50 for a General to £5 for a non-commissioned officer, are offered.

ffather James Russell has seaven parishes in Dublin and is Deane of St. Patrick's } Ryan.

Donagh McCarthy parish priest of Tralee in the Co. of Kerry is Deane of Ardfert and took his tryall as soe and since the death of Dr. Dayly who dyed in [16]99 in Corke Jayle he makes use of the power of Jurisdiction of Aghadar in the Co. of Kerry.

— RYAN.

Owing to the loss of the records of the inferior courts, we have no means of ascertaining how far this and similar reports were acted on. Occasionally however there were proceedings in the higher courts, or cases of doubt were referred to the executive, and then we get glimpses of the working of the Act. The Warrant Books of the Lords Justices and Lords Lieutenant contain many instances.

ROCHESTER.

Whereas an Act of Parliament passed in this kingdom the Ninth year of his Majesties Reigne intitled an Act. . . . . .

And whereas John Kelly a Fryar committed and now remaining in prison pursuant of the said Act. We do hereby signify our will and pleasure that the said John Kelly be transported to Lisbon in Portugall and we hereby direct and require you to cause him to be putt on board the ship Happy Entrance of Dublin now in this port, bound thither in order to his being transported pursuant to the Act aforesaid and we hereby require Thomas Montgomery, master of the said ship to receive the said John Kelly on Board and to take particular care to land him in Lisbon accordingly. For all which this shall be your warrant. Given at Dublin Castle the 16th day of October, 1701. FRA. GWIN.

To the sheriffs of the Citty of Dublin.

ROCHESTER.

Whereas we have given orders to the Barons of his Majesty's Court of Exchequer in this kingdom to remitt and dischardge the fine imposed on John Maglyne, a Fryer now in the Gaol of Limerick for coming into this kingdom contrary to an Act of Parliament passed here, in order to his being transported from hence pursuant to the said Act. These are therefore to direct and require you to cause the said John Maglyne to be sent in custody on shipboard on the first vessell bound from your port to Spaine or Portugall with Directions that he be sett on shore at any of those places. And etc. 13 Dec. 1701.

To the Mayor and Sheriffs of the City of Limerick.

NARCISSUS [Archbishop of] Dublin, DROGHEDA.

Whereas by an Act of Parliament passed . . . . . .

And whereas Edward Chamberlaine a Jesuit committed and now

remaining in prison pursuant to the said Act. We do hereby signify our will and pleasure that the said Edward Chamberlain and Anthony Martin shall be transported to Cadez in Spaine and we direct and require you to cause him to be putt on board the shipp Two Brothers of Dublin bound thither in order to be transported and we hereby require Francis Thornton Master of the said shipp to receive the said Edward Chamberlain and Anthony Martin on board and take particular care to land them Cadez accordingly. And etc. 13 March 1702.

To the Sheriffs of the City of Dublin.

Whither the master of the ship thought one Jonah enough, or whither Chamberlain made his way back again, does not appear but nine months later the following is found:

ORMOND.

Whereas by an Act of Parliament passed . . . . . And whereas Edward Chamberlain a Jesuit is now in prison pursuant to said Act, We do hereby signify our will and pleasure that the said Edward Chamberlain shall be transported to Holland and we hereby direct and require you to cause him to be put on Board the ship hen of Roterdam bound thither in order to his being transported and we hereby require Clause Janson Master of the said ship to receive the said Edward Chamberlain and to cause particular care to land him at Holland. And etc. 13 January 1703.

RICHARD COX, MOUNTALEXANDER.

Whereas we have ordered James O'Doughan and Philip Brady Fryars to be brought from the Countyes Donegall and Cavan to Dublin to be transported from hence according to the statute in that case made and provided. These are to direct and require you to receive from the High Sheriffs of the said Countyes or either of them the said James O'Doughan and Philip Brady and cause them together with another fryar now in your custody to be brought up in custody under a good guard and delivered to the High Sheriff of the County of Dublin with this our order who is hereby required to bring them under a like guard to Dublin and deliver them to the sheriff of the said Citty. For all which this shall be your warrant. 10 August 1704.

To the high sheriff of the County of Meath and the high sheriff of the County of Dublin. J. DAWSON.

NARCISSUS MARSH, RICHARD COX.

Whereas by an Act of Parliament passed . . . . . And whereas Thomas Blunt and George Martin two Fryers are now in prison pursuant to the said Act, we hereby signify our will and pleasure that the said Thomas Blunt and George Martin shall be transported to Ostend and we hereby direct and require

you to cause them to be put on board the ship Hope of Bilboa bound thither in order to their being transported and we require Mr. Francis De Clark Master of the said ship to receive the said fryers and take care to land them in Ostend. And for etc.
To the sheriffs of the City of Dublin. 22 February 1706.

Here it may be well to note the machinery for transportation provided by the law.

8 ANN C. 3. S. 32—5.

Every popish bishop, vicar general, dean, jesuit, friar and papist exercising ecclesiastical jurisdiction and every popish priest who by offending against this or any former act shall be liable to transportation shall within three months be transmitted by order of the justices of assize or by order of the justices of the peace in their general quarter sessions, to the common gaol of the next seaport town where they shall remain until transported.

It shall be lawful for all masters of ships, merchants, and others to receive the body of such popish regular or popish priest and to transport the said person beyond the seas out of her Majesty's dominions of Great Britain and Ireland.

And if any merchant freighting any ship bound for any port not within the kingdom of Great Britain or Ireland shall refuse to receive the bodies of such popish regular clergymen or popish priest not exceeding five in any one ship when required so to do by the chief magistrate or his deputy of such port when any such popish person shall remain in gaol, the collectors and other officers of her Majesty's customs are required not to discharge such ship until such merchant or such master of a ship shall consent so to do, on pain that such collector so discharging shall forfeit to her Majesty thirty pounds.

The collector of such port is required to pay to the said merchant or master of a ship five pounds for the transportation of every such person to any part of the West Indies, and three pounds for the transportation of every such person to any port in Europe not being within her Majesty's dominions.

The same to be allowed said collector on producing receipt of said merchant or master acknowledging receipt of said sum and receipt of body of such popish priest. In this receipt shall be expressed the name of the person to be transported, the place he did last reside, the time he hath remained in gaol, and from what county gaol he hath been transmitted to said port.

If any such popish regular or popish priest shall be found in this kingdom out of the custody of the said merchant or master of a ship he shall suffer such penalties as are inflicted on a popish regular who hath been banished and hath returned.

And the said merchant or master shall enter into a recognisance to her Majesty in the penalty of £50 to transport the said popish person beyond the seas.

Sometimes when the transported friar made his way back again and was recaptured, government was placed in a dire extremity. For it was not thought expedient to subject him to the death penalty which he incurred by statute, and it would be bad policy to condone the offence merely by transporting him a second time. There was nothing for it but to send him to a place whence he was not likely to return.

PEMBROKE.

Whereas William Armstrong hath given sufficient security to his Majesty for the Transportation of Redmond Murphy a Convicted Fryer in the gaol of the County of Wexford to some of his Majesty's plantations in America. These are to direct you to cause the said Redmond Murphy to be delivered to the said William Armstrong. 2 September 1707.

To Richard Sanders High Sheriff of Wexford.

Another alternative was to subject the returned friar to indefinite imprisonment. Thus Thomas Blunt and George Martin were as we have seen transported in 1706. Years after, they got back to Ireland again, as would appear, and were recaptured.

To their Excellencies the Lords Justices.

The humble petition of Thomas Blunt, George Martin and James Dugan, Prisoners in Newgate.

Humbly sheweth that your petitioners having been convicted some years ago of being Regulars have been since detained close prisoners whereby they are not only impaired in their health but also reduced to the lowest ebb of indigence and want. May it therefore etc THOMAS BLUNT, G. MARTIN, JAMES DUGAN. 17 December 1722.

[Endorsed]. To be transported as soon as there is an opportunity.

This series may be closed with the following example of official clemency:

CONSTANTINE PHIPPS, R. INGOLDSBY.

Whereas Christopher Hart of the City of Dublin, Baker, hath given security before the Clerk of her Majesties Privy Council for transporting Bryen Roork a convicted priest in the gaol of Newgate on Board the ship St. Phillip of Bilboa, Joseph Depoertes, Master, to Bilboa in Spaine we are therefore pleased to extend her Maiestie's mercy to him, in suffering him to be transported in six months from the date hereof to the said port and there set on shore and that he shall not return into this kingdom without speciall lycence. We direct the sheriffs of the City of Dublin to cause the said Bryen Roork to be sent under a strong guard on shipboard. 7 March 1710.

These and many similar documents scattered through the Council books enable one to judge how thoroughly and consistently the Act was worked. On 5th October, 1703, the House of Commons by way of inquiry made some orders upon the subject. One of them ran "Ordered that the Judges do give an account to this House what Regulars and persons of the Popish religion exercising ecclesiastical jurisdiction have at any time been brought before them, together with their proceedings thereupon." Returns in accordance with this order were made and are still extant among the Parliamentary records. Three of the chief justices—Queen's Bench, Common Pleas and Exchequer, and two of the puisne judges sent in reports, and these as abounding in curious details may be here given *in extenso*.

In obedience to the order of the honourable House of Commons bearing date the 5th instant I have caused Mr. Tisdall, Deputy Clerke of the Crowne to make diligent search into the records of the Court of Queene's Bench in order to lay before the honourable House the proceedings against the Popish Regular clergy, from whom I received the annexed certificate.

And having perused my Circuit Bookes I find that att the Assizes held att Wexford the 24th of Aprill in the 13th year of his late Maiestie Anthony Molloy and Redmond Murphy were convicted as ffryers and received Judgment to be transported according to the statute.

That att the Assizes held the 7th of March in the 14th year of his late Maiestie they were left on the Callendar in Gaol till transported. That at the same Assizes John Mathews and Thomas Johnson being committed as being ffryers and returning into this kingdom contrary to the statute, and there not being full evidence against them they were transmitted to the Naas.

That att the Assizes held the 12th day of August in the 13th year of his late Maiestie in the countie of the Citty of Cork Peter Morrogh accused as a Popish Viccar Generall was bound by Recognisance to appeare but did not and Execution not entered on the Bayle.

That at the Assizes held at Lymerick the 8th day of August in the 13th yeare of his late Maiestie Daniell Curie being committed for being a priest and returning into this kingdom contrary to the late statute—there not being sufficient evidence against him—was to remaine in Custody unless he found good security to appeare at the next Assizes.

Which are all the proceedings I find against any of the Popish Regular clergy since the last statute.

That on the conviction of any popish Regular clergyman immediately I gave notice to the government thereof in order to his transportation.

That the Grand Jury of the County of the Citty of Cork att their summer Assizes 1700 and alsoe at their summer Assizes 1702 to the best of my remembrance addressed the government by way of presentment that Dr. Sleyne Titular Popish Bishop might be transported (who for some time remained there in prison on pretence of sickness great inability and weakness to undergoe a voyadge att sea, which was the reason of the indulgence of the Government to him) but since I am well assured that he has been transported beyond seas. All which I humbly certify to this honourable house this 25th day of October 1703.

RD. PYNE.

[Enclosure].

Search being made among the Pleas of the Crowne in her Maiestie's Court of Chief Place Ireland I find that John Keatinge was in Michaelmas Terme 1699 convicted of being a ffryer and that in Hillary Terme 1700 John Kelly alias Purcell was likewise convicted of being a ffryer and that in Michaelmas Terme 1701 Edward Chamberlain was likewise convicted of being a Jesuit and that in Easter Terme 1702 Dominick alias Constantine Egan was likewise convicted of being a ffryer all which persons were committed to the Gaole of Newgate there to remaine without Bayle or Mainprise until they should be transported. And by looking over the Callendar of the last Term I find that said Chamberlain and Egan are still continued in Gaole and the Gaoler informs me that the said Purcell has been transported and that the said Egan [?] died in Gaole. All which I certify this 12th October, 1703. I further certify that I doe not find any other or further proceedings against the said persons or any other regulars in the said Court. RICHARD TISDALL, Dep. Cler.

The report of the Chief Baron of the Exchequer runs:

An Account of such Regulars and Popish persons as have been brought before me in the severall circuits under written which I humbly certifie to the honoble the House of Commons in obedience to their order of the 5 of October 1703.

Co. of Downe Summer Assizes 1698	Patrick Brin	Presented to be titular Archdeacon of the Diocese of Dromore. Tried for the same and acquitted.
Co. of Longford Lent Assizes 1699	Patrick ffarrall	Indicted last Assizes for continuing in the kingdom being Titular Dean of Ardagh and thereof acquitted. Discharged by proclamation.

Co. of Gallway Lent Assizes 1699	Ambrose Madden	Bount over from last Quarter Sessions to appeare and answer, being charged for exercising ecclesiastical and foreign jurisdiction. Security ad prox.
County of Lowth Lent Assizes 1701	Andrew Mathews (commonly called Abbot of Mellefont)	Presented for being a Regular priest. Tryed and Acquitted.
Co. of Wexford Summer Assizes 1702	Anthony Molloy Redmond Murphy	ffryers in Gaole.
The Same Assizes	Gregory Downes	For Lycenceing one Michael Downes being a Papist to administer the Rites of the church of Roome-Security.
Co. of Kerry Lent Assizes 1702-3	Edmund Carthy Popish Priest	Committed by Barry Denny Esq and Ed. Herbert. Noe Indictment or prosecution. Discharged by proclamation.
	Daniel ffalvey	Committed by the Rt. Hon. the Lord Baron of Kerry and Lixnaw for being a Regular Popish Priest—Continued.

I doe alsoe further Certifie the said honoble house that I doe not remember or believe that any application was made to me by the Grand juryes of any of the said Counties or otherwise Relating to the said Popish Regulars or others Exercising Ecclesiasticall Jurisdiction. Dated this 27 day of October 1703. ROBT. DOYNE.

[Endorsed] An account of the Regulars from the Lord Chief Baron. Received from Mr. Miler 28 October 1703.

In obedience to the Order of the Honourable House of Commons made the 5 day of October 1703 I have examined the Assize Books of the severall Circuits I have gone since the making of the late Statute in this kingdom against Papists exercising Ecclesiasticall Jurisdiction and Regulars of the Popish Clergy and doe find:

That at the Assizes held in the County of the Citty of Corke the 13th day of August in the 13th year of his late Maiestie, Peter Murrogh accused as a popish vicar generall was bound by recognizance to appeare at the said Assizes but did not and Exactus now was entered thereupon which are all the proceedings against any of them.

Nor do I find or remember that any regulars or persons of the Popish Religion exercising Ecclesiasticall Jurisdiction hath at any time been brought before me Nor hath ther bin any applica-

tion made to me at any of the said Assizes by the Grand Juryes or otherwise relating to the said Regulars or others exercising Ecclesiasticall Jurisdiction other than as aforesaid All which I humbly certifye to the Honourable House this 28 day of October 1703. N. DONNELLAN.

In obedience to the two severall Orders of the Hon. House of Commons bearing date the fifth day of this present October 1703 I doe humbly lay before this Honourable House an Account of what Regulars and Popish persons of the Popish Religion exercising Ecclesiasticall Jurisdiction have at any time been brought before me together with my proceedings thereupon.

As likewise an account of what applications have been made to me by Grand Jurys or otherwise relating to Popish Regulars and others exercising Ecclesiastical Jurisdiction with my proceedings thereupon.

Connaught Circuit 6 Martii 1702.

Com. Sligoe in the Book of Assizes No. 1 } Patrick O'Connor stood Indicted the Lent Assizes before for not departing out of this kingdom before the first day of May 1698. He being a Dominican fryer. Ordered that he be continued in Gaol without Bail until he be transported pursuant to the said Act. The Grand Jury for the said County at the said Assizes did present that the Judges of Assize would lay this matter before the Government in order to have the said Patrick O'Connor transported, which was ordered by the Court. To which said presentment and the Order thereupon in the custody of the Clerk of the Crown for the said County (as I suppose) for my more certainty therein I humbly crave leave to Reffer my self.

Com. Ville de Gallwey apud Assias ibm tent 10 Martii 1702 In the Book of Assizes No. 5 } Danil McDonnell was found guilty the Lent Assizes before of coming into this kingdom contrary to the late Act of Parliament prohibiting the same, he being a Dominican Fryer. Under Judgment to remaine in Gaole a Twelvemonth and to be transported by order of the Government.

The Grand Jury for the said County of the said Town of Galway did at the said Assizes present that the Judges of Assize would when the time of his imprisonment was expired lay the case before the Government and Councill according to the late Act of Parliament which was ordered by the Court. To which said presentment and order now remaining in the custody of the Clerk of the Crown for the said Town and County (as I suppose) for the more certainty therein I humbly crave leave to Referr my self.

Com. Vill de Galwey Same Book No. 4 } Gregory French bound from the last Assizes to appeare and answer this Assizes etc. Indicted for that he being a Dominican Fryer in

pursuance of a late Act of Parliament was transported out of his Maiestie's Dominions into Parts beyond the seas and that He 19 July Anno 13° nuper Regis Did Voluntarily and Traitorously return contrary to the said Act of Parliament. In the margin of which Book I find an entry of my own hand writing in these words—Continued on the like Rule as formerly to the next Assizes.

Same Book No. 6 } Patrick Hubbane alias McDonnell bound over by the Maior of Galwey being committed last Lent Assizes untill he should find suretyes de bona gestura etc. being acquitted of the foregoing offence by the said Book. I find he was continued in Prison on the like Rule.

Upon my return out of the Connaught Circuit to Dublin I attended the Lords Justices then in Town at the Castle and then acquainted them that the severall Grand Juryes of Sligo and the County of the Town of Galwey had presented that the Judges of Assize should apply to their Excellencies that care might be taken for the transportation of the said Daniel McDonnell and Patrick Connor. Their Excellencies were pleased to answer that they had endeavoured to get Transportation for convicted Regulars but that the Masters of Ships to whom application had been made showd an adversness to take them on Board but assured me That all due care should be taken for their Transportation or used words to the like effect. I being satisfied with this answer and assurance of the Lords Justices I did conceive any further application in this matter was unnecessary.

Munster Circuit.

Com. Civit. Corke Book of Assize No. 5 } At the Assizes held for the County of the Citty of Corke Thursday the 15th day of July last past In the Book of Assizes for the County of the said Citty is entered Peter Murrogh committed by the Maior of Corke for making his escape out of a ship wherein he was to have been transported to Portugal being pretended Popish vicar generall of Corke. In the margin of which book I find him entered for Transportation.

Com. Corke Book of Assizes No. 7 } At an Assizes held for the County of Cork the 15th day of July last past in the Book of Assizes for the said County is entered Richard Hammet bound over in Court the Lent Assizes before for exercising foreign jurisdiction in excommunicating Richard Gough Priest of the parish of Youghal from the see of Rome and all other persons of the same religion which should have any comerce with Hereticks ; to which Indictment he pleaded, was tryed and acquitted. Ordered to find suretys for his good behaviour.

Same Book No. 107 } Daniel Felix transmitted from Ennis to Corke by Thomas Ponsonby Esq. High Sheriff of the County of Kerry ; entered on the margin of said Book to be transported as a priest.

Same Book \ Daniel Goffe comitted in Court for coming out of
No. 120 / France.

I do not remember any particular application to have been made to me by any Grand Jury in the Circuit by presentment or otherwise concerning any application to be made by me for the Transportation of any convicted Popish Regular. Neither do I remember that any Regulars or other persons of the Popish Religion exercising Ecclesiastical Jurisdiction have at any time been brought before me other than are herein before mentioned.

Upon my return out of this Circuit I attended his Grace the present Lord Lieutenant at the Castle in Dublin and there I did acquaint his Grace That there were severall convicted popish regulars in the Gaoles in Munster and that care ought to be taken for their Transportation according to the Act of Parliament. His Grace was pleased to answer that he would consider of some way for the better Execution of that Law. ANT. UPTON.

October the 19 1703.

[Endorsed] Mr. Justice Upton's Return concerning Preists. Given into the office by Mr. J. Upton 25 October 1703.

The remaining report deals with the same persons as the previous with a few additions.

Mr. Justice Macartney's Return about the Priests and Regular Clergy. In obedience to two orders conceived by the Honble House of Commons on Tuesday the 5th October 1703, the one requiring the Judges to give an account what Regulars and persons of the Popish Religion exercising Ecclesiastical Jurisdiction have att any time been brought before them together with their proceedings thereupon.

The other requiring the Judges to give an account what applications have been made to them by Grand Juries or otherwise relateing to Popish Regulars and others exercising ecclesiastical jurisdiction together with their proceedings thereupon.

I humbly certifye that Gregory French was indicted att the Summer Assizes held for the County of the Town of Galway the 13th year of the late King for that he being a Dominican Fryer in pursuance of the late Act of Parliament made in this kingdom against the regular clergy was transported out of his late Majesty Dominions into parts beyond the seas and that he the 19th July the 13th year of the late King did voluntarily and traitorously returne to this kingdome contrary to the said Act.

The triall was then put off by the King's Council on an affidavit that Mr. Simcocks, a material witnesse for the King, was in England. He was ordered to lye in Gaole untill the next Assizes sans Bayle etc.

At the next Lent Assizes following the said Gregory French's Tryall for the said Treason was again put off for want of a

sufficient power by the Act to try him and then he was bailed out upon very good security. He hath been continued under baile from time to time ever since and is now out upon good baile. The said Gregory French at the said Lent Assizes was also indicted for that he being a Dominican Fryer and in France, contemptuously came into this kingdom contrary to the said Act of Parliament prohibiting the same, he was then tried before me and acquitted.

Daniel McDonnell was att the said Lent Assizes also indicted for that he being a Dominican Fryer, also contemptuously returned into this kingdom contrary to the said Act of Parliament prohibiting the same. He was found guilty and ordered to lye in Gaole twelve months and afterwards untill he should be transported by order of the Government.

Patrick Hubbane alias MacDonnell was likewise at the said Assizes indicted for the like offence. He was acquitted but continued under a rule of good behaviour untill the last Summer Assizes and was then discharged by Proclamation.

Patrick Connor a Dominican Fryer att the last Lent Assizes held att Sligoe for the Countey of Sligo was indicted for that he was and is a Dominican Fryer and did not depart out of this kingdom before the 1st of May 1698 according to the said Act of Parliament; he submitted to the Indictment and was ordered to remain in Gaole without Baile and untill transported by Order of the Government.

Att the Lent Assizes held att Trim 1702-3 for the County of Meath Thomas Blunt a Franciscan Fryer was in prison under a rule to remaine in Gaol without Baile untill transported by order of the Government for being a Fryer and remaining in this kingdom contrary to the said Act. He was continued under the same rule.

Marks Plunkett a priest was indicted at the same Assizes for extolling the Pope's jurisdiction, the Prosecutor for the Queen not being ready to prosecute he was bailed out till the next Assizes.

Att the Assizes for the Countey of Cavan I found Phillip Brady Franciscan Fryer under a rule of transportation and continued him under that rule.

There were no applications made to me by any Grand Juries relateing to Papists but some gentlemen of the Countey of Sligo desired me to move the Government to have the said Patrick Connor transported, and some of the said Daniel McDonnell's friends att Galway desired me to speake to the Government that he might not be transported because he was very sickly and I did att my returne from the Circuit acquaint the Government therewith accordingly.

All which is humbly certified to this Honoble House the 18th day of October 1703. By JAMES MACARTNEY.

Parliament in an anti-popish frenzy ordered these returns. But there was slight cause to question the judges. These gentlemen were only too eager to clothe themselves in the panoply of Protestantism for reasons of their own. "Judicial guilt" writes the official historian "at the close of Anne's reign was merely not uncommon but general. Though Irish commerce was restricted, its judges made a lucrative traffic to the Crown, and by parity of reason, to private parties, of the property, liberty and lives of fellow subjects. Nor had these hardened criminals any excuse to offer but merely pleaded great zeal against the Pope and Pretender though nothing was more likely to introduce these foreigners than the cruelty and corruption of Protestant judges." ((*dd*)

(*dd*) History of the King's Inns, Duhigg, p. 267.

CHAPTER IV.

REIGN OF QUEEN ANNE.

OF the recent writers who have treated this period of Irish history the one who deserves to be best studied is Froude. Others have approached it in a critical temper or a hostile spirit, he with entire sympathy. The penal code was in his judgment, a piece of monumental statesmanship, admirable in conception, exquisitely adapted to the needs of the country and only a failure by the accident that it was not enforced long and consistently enough. Sharing to the full the views of Queen Anne's Irish legislators, he has best appreciated the forces behind the penal laws and the aims of the men who framed them. To us indeed, in our plane of thought the attempt to impose Protestantism on an unwilling nation by a system of proscription and legal disabilities, would seem futile as well as criminal. That the penal laws were enacted in sincerity and enforced with conviction—that they were anything more than legislative bogies—we find it hard to realise. Yet if the outlook of these statesmen be duly considered and the circumstances of the time taken into account the task to which they set themselves will not seem so extravagant nor the means so inadequate. In our day religion and politics are regarded as two spheres hardly touching, in fact almost mutually exclusive; nothing can appear to be better defined than the distinction between church and state; the axiom a free church in a free state is in practice almost universally acted on. But in the reign of Anne the secularist ideal was still unknown; religion was believed to be a matter of vital politics; people were as convinced of the necessity of a state church as of a state police and could no more conceive a nation without an established religion than a man without a blood circulation. And further if there was one principle more than another settled and acknowledged by statesmen it was that all Catholics were rebels in posse if not actually, that loyalty to Rome was alike incompatible with civil allegiance and with individual liberty, and that therefore the first duty of

a Protestant government to the Catholic religion was to uproot it. These principles, it is true, were not confessed and consciously acted on, especially from the Peace of Westphalia onwards, but none the less they influenced and shaped the whole politics of the time. Hence it would be a mistake to regard the penal laws as the outcome of the passions of the Revolution or simply as retaliation on account of the persecution of the Huguenots in France. From the Reformation down it was merely a question of opportunity. English statesmen had never relinquished the hope of making Ireland Protestant and British but during a century and-a-half, the project could not be carried out with safety.

Nor was success less probable than in Elizabethian England when Cecil and Walsingham began their work. For on the one hand Great Britain had reached the meridian of military power so that the disturbing factor of foreign intervention was now eliminated. Recently there had been spread over the country a net work of barracks for horse and foot, one hundred and two in all, to dominate and overawe the population. As a more effective garrison the Scotch were pouring into the north in numbers variously estimated from ten to twenty thousand a year. To leaven the south and west, negociations were entered into for planting the dispossessed Protestants of the Rhenish Palatinate. Finally the Protestant bishops were busily concerting schemes for converting the Celtic-speaking people through their own language. Over against these forces was the mere residue of a nation, and of this residue the able bodied and enterprising were fleeing in thousands yearly to the armies of France, Spain, and the Empire. Deprived of leaders, of wealth, of education—of every power of resistance, no one doubted that in a few years the Irish could be moulded to any purpose of the legislature. Such were the conditions under which the penal code came into existence.

Those who regard the code as a counterblast to the *Arrets* of Louis XIV. against the Huguenots have sought in these *Arrets* the exemplars of the Acts of William and Anne. But they have hardly considered the family resemblance which all repressive legislation bears, and further that the task which confronted the Irish legislators was different from the extermination of an active,

wealthy, irreconcilable minority. Their problem indeed, was that which Elizabeth's statesmen had successfully solved a few generations earlier—a national change of religion against the wishes of the overwhelming mass of the people. Hence the model and true inspiration of the code is to be found not in the French but the English statute book. The procedure in each case was identical.

As in England the first step was the destruction of the religious orders, the best educated and best disciplined of the clergy. Next the organization of the church was broken up by banishing the bishops and others exercising authority. The existing clergy would thereby, it was hoped, be reduced to chaos. Finally, the supply of future priests was cut off. There was at first no question of making a clean sweep of the secular priests, as had been done with the regulars. A stronger government, the Cromwellian, had formerly taken that course, and the experiment was not encouraging. One great and instant difficulty there was. The destruction of the Irish schools a century before had resulted in the establishment of colleges for them all over the continent. Thither young Irishmen in scores were shipped by the aid of hardy fisher-folk or friendly merchants. Some years later, trained theologians and accomplished men of the world, they made their way back in many disguises. As long as this continued, the extirpation of Catholicism in Ireland was a hopeless task. Hence an important part of the code was devoted to foreign education. Again to ensure that there should be no successors to the existing clergy, all priests were registered, located, and identified. They could not minister outside their parishes, nor keep curates, and no priests who were not registered for a certain parish, would be permitted to remain in the country.

This plan of campaign, as will be seen, required time for its accomplishment. But meanwhile the nucleus of the army was itself in grave peril. From the days of Elizabeth down, all Protestant colonies had disappeared before that most powerful of solvents—marriage. If the Williamite settlers, the Palatines, the Huguenots of the towns and the Scotch of the North were to take Irish wives, it were vain to banish the bishops or intercept the priests. Numerous acts therefore were passed forbidding marriage

between Protestants and Catholics and inflicting the gravest penalties on priests who assisted at them.

Here to afford a connected view of the code the several laws may be set down in digest. They divide themselves under four heads: (I) those for the banishment of bishops and others exercising ecclesiastical jurisdiction, and of regulars; (II) those for the prevention of foreign education and the coming of priests into Ireland; (III) those for registering priests and enforcing the Oath of Abjuration, and lastly (IV) laws regarding marriage.

Having in the last chapter sufficiently considered the law exiling ecclesiastics we shall here deal with the laws under the other three heads.

II.

Laws for the prevention of foreign education and the coming of priests into Ireland.

7 Will III, C. 4.

1. In case any of his Majesty's subjects of Ireland shall go or send any child or other person to be resident or trained up in any priory, abbey, nunnery, popish university, college or school or house of Jesuits or priests in parts beyond the seas in order to be educated in the popish religion in any sort to profess the same, or shall send money or other thing towards the maintenance of such person gone or sent, or as a charity for the relief of a religious house, every person so going sending or sent shall on conviction be disabled to sue in law or equity or to be a guardian, executor or administrator, or take a legacy or deed of gift, or bear any office, and shall forfeit goods and chattels for ever and lands for life.
2. If any information be given to any Justice of the Peace that any such child or other person, money or other thing are gone or sent away contrary to this act, such Justice is required to have brought before him all such persons suspected or charged to have offended and shall examine the persons so suspected and any other witnesses concerning the same. If it shall appear probable to him that such offence was committed, the suspected persons are to be bound with sufficient sureties, and such others as he shall judge fit to give evidence are to be bound in the sum of £200 upwards to appear at next Quarter Sessions. If at the Quarter Sessions it shall appear probable that any person money or other thing was sent abroad contrary to the act then the person suspected must shew where such person sent then is and also to what intent and purpose such money or other thing was sent. Failure to show this shall be entered on record and be a conviction as well of the person sent as of the person sending, and they shall incur the penalties aforesaid.

9. No person of the popish religion shall publickly teach school or instruct youth; or in private houses teach or instruct youth except only the children, or others under the guardianship of the master or mistress of such private family, upon pain of twenty pounds and also being committed to prison for three months for every such offence.

2 ANNE, C. 6.

1. If any person being a papist shall send or cause or willingly suffer to be sent any child under the age of one and twenty years (except sailors, ship-boys or the apprentice or factor of some merchant) into France or any other parts beyond the seas without the special licence of her Majesty or chief governors of this kingdom and four or more of her privy council they shall incur the penalties mentioned in Act 7 Will III, c. 4 *supra*.
2. When any of the judges of her Majesty's courts of Queen's Bench Common Pleas or Barons of the Exchequer, or any two Justices of the Peace shall have reasonable cause to suspect that any such child has been sent into foreign parts they are required to convene the father or mother or such other relation, guardian or persons as had the care of such child and shall require them to produce before them the said child within two months after. And if the child is not so produced nor reasonable cause shewn for obtaining further time for the same till the next quarter sessions, nor good proof given that said child is resident somewhere in Ireland England or Scotland and not in parts beyond the seas, such child shall be deemed to be then educated in foreign parts and shall incur all the penalties mentioned in Act 7 Will III c. 4.

In the summer of 1703 the Irish Privy Council prepared the bills to be enacted in the coming parliament. Forwarding them to Nottingham the English Secretary, their Lordships write 16th June:

The Act of last session extended only to dignitaries and regulars but it being found by experience that secular priests educated beyond sea among her Majesty's enemies did imbibe their sentiments and at their return did become incendaries to rebellion, it was considered necessary to prohibit their return and the new Act is in fact but to reinforce a good law already in being against foreign education.

Accordingly the following sweeping measure became law:

2 ANNE, C. 3.

1. Every clergyman of the popish religion that shall come into this kingdom at any time after the first of January 1704 shall be liable to such penalties, forfeitures and punishments as by the Act 9 Will III, c. 26, is imposed on popish bishops etc. or any other papists exercising ecclesiastical jurisdiction who shall

come into this kingdom contrary to the said Act, [that is to say imprisonment and transportation for the first offence, death for the second.]

2. Any person who shall knowingly harbour, relieve, conceal or entertain any such clergyman of the popish religion shall be liable to such penalties and forfeitures as by the said Act is imposed on the harbourers and concealers of any popish bishop etc. or regular popish clergyman, to be levied in the same manner as by the said Act is directed.

All justices of the peace, sheriffs, high and petty constables and all other subjects are required to use their utmost diligence in apprehending all such regular or other popish priest who shall come into this kingdom contrary to this Act.

3. If any mayor, justice of the peace or other officer shall neglect doing their duty in execution of this Act every such justice and other officer shall for every such neglect forfeit one hundred pounds, one moiety to the King, the other to the informer or person that shall sue for the same, and be disabled from serving as a justice of the peace during his life.

4. All persons who shall return or come into this kingdom contrary to the Act 9 Will III, c. 26, or shall come into this kingdom contrary to this Act may be indicted and tried for the same in such county wherein they shall be taken or in any county where her Majesty by commission under the great seal of this kingdom shall appoint.

It may be well to illustrate the working of these Acts by a few cases, reserving to future chapters a fuller study of their operation in the several parts of the country.

Pursuant to an Order from the Government and to a Resolution taken by the Justices of the Peace of the County of Tipperary at a Meeting held in Cashell the 18th of June last. We the under named Richard Lockwood Esq. Mayor of Cashell and John Hickey Clk. two of her Majesties and the Lord of Regalities Justices of the Peace for the said County do hereby certify that wee called together the Popish inhabitants and others living within the Citty and suburbs of Cashell and the parish of the Rock thereunto adjoyning and uppon the strictest enquiry we could make, do not find that any one are gone out of the kingdom for a year past except one Trihy, an apprentice boy who went into France to his father in October last. [Given] Under our hands this tenth day of July 1714. RICHARD LOCKWOOD.
JOHN HICKEY.

In other districts her Majesty's justices were more successful in discovering students sent out of the country to be educated. The Grand Jury of the County Galway at the Spring Assizes, 1715, presented :

The names of such persons as have transgressed the Act against forreign Educacon.

Ulick Burke son to John Earle of Clanrickard went out of the kingdom to ffrance in or about November 1713 in companie with one Carbery Kelly a popish cleargieman and Regular priest from the parish of Ballinekill in the half barony of Bellamoe at which time John Burke son to Sir John Burke Baronet went to ffrance in companie of the said Carbery Kelly and not since returned to this kingdom.

Edward Burke an other son of the said Earle of Clanrickard is out of this kingdom and missing and we heare he is in ffrance or Lorraine.

Walter Burke son to Edmund Burke of Milick is out of this kingdom and missing and is in ffrance or Spaine as we are informed.

Myles Killkelly son to Garrett Kilkelly late of Rahin about two yeares agoe went out of this kingdom and is missing and we believe he is in ffrance or Spaine.

James Burke son to Ullick Burke of Ower went out of this kingdom about a yeare agoe and is missing and we are informed he is in ffrance.

Richard Burke son to Walter Burke late of Killcoo went out of this kingdom and is missing and is a Captain in ffrance as we are informed.

Luke Ryan son to Dr. James Ryan of Abbyland went out of this kingdom last yeare and was for some time missing. We find he went to ffrance from whence he hath returned severall times into this kingdom, that his business was to list men for the pretender as we are informed.

Hyacinth Nugent son to Thomas Nugent comonly called Lord Reveston [Riverstown] is gone out of this kingdom and is missing, and as we are informed is in ffrance.

Redmund Burke son to Ullick Burke of Killcoman went lately out of this kingdom and is missing and as we are informed is in ffrance.

Edmund Kelly son to William Kelly of Ballinlassy is out of this kingdom and is missing.

Luke Burke son to Richard Burke of Erickbrack alias Gortemadden is out of this kingdom and is missing and in ffrance as we are informed.

Ullick Lynch son to Patrick Lynch of Bellwell has been out of this kingdom for two or three yeares and we find that he is in ffrance.

Besides inquisitions held under the Act there was another method for gaining information about young men sent over sea to be educated. This was intercepted correspondence. Sometimes the letters were taken in the post; more often they were found on some person arrested as suspect on landing. A consider-

able number are still to be seen in the Irish Record Office among the "Country Letters" and elsewhere. Lecky who had seen some, describes them as "full of affection for those who were left at home and of a most touching and beautiful piety." A few examples may be given.

Paris Augt. 8 N.S. 1731.

Rev. Dr. Sir.—Presuming you would be glad to hear from us I take the liberty to salute you and the rest of your dear family with my best respects and also to give an account of our proceeding since we parted your good house. After we sent home Paddy Hindes we were detained 3 weeks and 3 days in Corke expecting every day to take shipping. I was at some considerable cost upon Poor Billy's account being invited several days but could not part him. I said Mass for Mr. Gallway [of Fota Castle] uncle to Coll. Butler twice, and every other day for the fryars who gave me a dinner and the last week also to Bro. Dilleny. Mr. French did not once call him to his house all the time. After we were aboard though every day sick we had a good passage and landed at Haver the eight day. We came from thence to Carbecque upon a Saturday and were accompanyed by two Dominican ffryars. We met a ffrench Abbay who directed us to a Cabray, [Cabaret] he was pleased to say that he liked my latin so well that he treated the Company with some wine and paid my Clubb and the next day invited Brother Billy and me to his house and gave the favour of extraordinary good company and a sumptuous dinner. We came from thence to Rouan and lodged the night with the Cordaliers among which was an Irish ffryar lately come from Prague. I changed dresses with him and gott the boat from thence to St. Jarmans free and was mighty well regaled by some Ladys and Gents that were in the Company but poor bill was at great cost being in his Secular Cloathes. We lodged one night at the Recolets at St. Jarmans and the next day I was obliged to goe by Coach to Paris, because the sandalls sorely cutt my feet, and the Company paid my cost. In Paris we lodged with the Recolets at St. Laurences and Mr. Duffy agreed with the Guardian for Brother Dilleny's habit. He was short of money for seven pieces. I have only 17 lievres. I made him my purse bearer at Rouan and he was obliged to lay out my money on the road expecting an advance in his own at Paris. Mr. Duffy was the best friend we had at Paris and used us with unexpressable Civility. I gave Mary Madden's letter to Mr. Merick, he promised to send her something. We are to leave the City to-day, I doe begin my Journey for Bullea, we expect directions from thence to Prague. Br. Dillenny got his habit for 30 Masses and begg you will get them said. I begg the favour of you to write to Prague to give an account of your dear family and how my Dear Father John finds himself

in health. Pray make my best respects agreeable to Mr. McHugo, fa. John, both the brothers Bryan and the rest of your family and believe me to be most cordially etc. THO. BROODER.
Br. Dillany joins saluting you all.
I begg you give my service to the family at Derrihoran, ffahy, Lismore and Captain Darcy. I seen Cosn Frank here and gives me an account of Mr. Silvester, he hopes he will doe well.
[Endorsed] To Mr. James Madden at Milick near Eyrecourt in the Co. of Gallway Ireland per London.

Dear Laurence—Last post I was agreeably surprised by some lines from you in Mr. Rourke's letter, a favour I had so long before expected. If you have written before to our College it was certainly an error I had forgot to apprise you of as it is probable maney letters to me were intercepted. You will for the future be more cautious and follow the directions in Mr. Rourke's letter. I wish earnestly to know the state of your affairs and also if Mrs. McKenna be well from whom I have so long in vain expected to hear, and to whom you will present my best respects. If she remember me, Irish news or even Spanish will be agreeable. Salamanca October 1751. WILLIAM NUGENT.
A Don Ricard Butler Grd Ds. Ms. Ap para entryar a Don Lorenzo McKenna. Madrid.

In the following we have a reference to the awful earthquake of 1756 in which the Irish College of Lisbon was destroyed.

I believe you heard from Mrs. Burke her son is arrived safe from India. The Rector doesn't mark what progress he made. Master Kelly issued Divine [i.e. graduated in Theology] of Cassanate. They'll want him at Lisbon if the College can be rebuilt, I am told Mr. Bradley is gone there from Louvain. Perhaps he may invent some scheme to help them. They intend to make a generall collection in Spain. God send it will turn so beneficial as they propose. We have repaired this old house last summer, now it's stronger and more decent than ever, it cost us a hundred dollers which is advanced in the rent, now we have it free for foure yeares to come. We are all well. DOMINICK O'CONNOR.
To Patrick Kennedy at Clarinbridge, Gallway.

Among these letters perhaps the one that will be read with most interest is that written by Father Nicholas Sheehy, who ten years later was hanged at Clonmel—the victim of politico-religious hatred.

Dear Paul—Though it was yours to write first and give us an account of your journey, I was before hand with you having wrote to you the first Saturday after your departure which Paddy inclosed to his father who I suppose delivered it to you [who were] unkind enough neer to acknowlidge it. Your silence

in these circumstances would be sufficient to make me write no more if not for the great regard I have for you which makes me pass by all that's past, and beg you will answer to my former. This day we received Deaconship from the Bishop of Tue at his house and are to be priested next sunday come seaven night. Please to pray we may receive it worthyly and you may be sure I will not forget you at the altar but will daily beseach the Almighty to give you grace to persevere in your holy undertakens to the last with satisfaction and health to undergoe your Noviceship. The latter [i.e. health] we wanted here since your departure so much that at the same time Mr. Roche, Paddy Luis and I have been confined to our beds at the same time. Mr. Roche and Luis only had the ague which worked them very hard from which they are I hope free. Paddy's disease is dubious. Some judge it to be an ague, and others say it is the ptisick, he goes off to morrow with his father for Madrid, for the physitians ordered him to change climate, the same I believe I must do the same which is what I earnestly desire and would bring it about before now if I had been priested. For the Doctor though he tended me for three weeks he knew not my sicknes, varying daily in his sayings and prescriptions so that he pestered me with bleeding, purging, phisicking and his glisters, tho' I believe they were of no service for I know my disease which I conceal from all. The Rector read for me the other day a letter he had from a Jesuit in Waterford wherein he had an account of great broiles between the Clerimen caused as thus. The Bishop stript or deprived the frier of his parish which he gave to William Brown; the deposed frier made his address to Counsellor Daubins [Dobbyn] a man whom you for his name esteem. He promised to secure him his parish and endeavoured to do so and was so vigorously opposed that he cited to the assizes the adverse parties and had warrants issued out for the Bishop [Creagh] Connery [V.G.] and Brown who were forced to absent themselves, but would not desist from their undertakens against the frier who is equally positive. The Catholics are very much concerned for it and severall behave very warm on it who have nothing to say to it. Father Fitzgerald was expected in Ireland about September by the Jesuites, fr. Thomas Hennessy the late Provincial is in a bad state of health as my uncle writes to me whose letter I had lately with a Bill of twenty pound so that by it I am very well to buy what ever you are pleased I should carry home to your friends in your name. My mother is in a bad state of health whom I recommend to your prayers who I dread will depart this life before I can well leave the college. I enchardged Fr. Lisward to tell Fr. St. Leger and severall when he gets home of you—more than you deserved—and have under his hand that he will complie if he arrives safe in Ireland. What it was I should advise now if I had any hopes

this would get to you, which in all probability you will never see, for tis hard [to believe] this young gentleman would be let in to see you by them fathers who refused Mr. Terry admittance four or five severall times he went to see you. Messrs. White and Nugent they join me to salute you and wish both [of them] content and satisfaction. Which Dear Paul with all sincerity I wish you, hoping you will have me with yours as soon as possible and you will oblidge dear Sir. Yours for ever to command. SHEEHY.

St. Patrick's [Salamanca] October the 28, 1756 (*ee*).

But the Acts against Foreign Education were only means to an end; it was of far greater moment to secure that those educated abroad did not make their way back into the country. Hence a sharp look out was kept at all ports by mayors, harbour masters, revenue collectors, tide-waiters,—all Protestants and active upholders of "our happy constitution in church and state." These officials, eager to distinguish themselves, reported to the executive government any captures of special importance. Hence we have ample particulars of the working of the Act 2 Anne, c. 4. A selection of letters from different parts of the country may therefore be given here.

Youghall 26 June 1713.

Honoured Sirs,—I had an account by Express from the Surveyor att Dungarvan last wednesday that the evening before he sent out the Queen's Boat with Officers to board a ship that just then came to an anchor in the Poole. The Officers rummadged a fishing boat that had been aboard her and found therein a stranger with a Trunck and Cloak bagg who tould them his name was Cornelius Reynolds of Jamestown in the County of Leitrim which place he left in the yeare 1681 and in a few months after he was ordained a Priest in Spaine and hath been absent from Ireland ever since but now growing old he resolved to spend the remainder of his days with two poor sisters who were in greate need of some few pence he had gott abroade. By the same Express I directed the Surveyor to seize the boat and to stay the ship untill your Highness pleasure could be known because the Owner and Master had incurred great penalties. I also advised him to commit the Priest to the charge of the High Constable with directions to carry him before General Stuart who yesterday morning by letter desired me to goe to Dromana where I took Examinations sufficient with the Priest's

(*ee*) That this letter was written by the martyr-priest appears from a comparison of the signature, with that on an Affidavit still preserved among the Dublin Crown Records at the Record Office.

own confession to warrant his committment, and I sent him away to Waterford Gaol. The General has promised to give the Government a more particular account of this proceeding by this night's post to which I refer your Honours being unwilling to give up copies of so long Examinations. I begg your Honours directions about severall Books, papers, Vestments, pieces of new silk and calicoe found in the Priest's Trunk. I believe the Judges of Assize will require me to deliver them on their order. The Books and papers I can't send a particular of what was found by this but I shall by the next post, because the Surveyor has not yet sent me a schedule thereof.

Last Wednesday night pursuant to the directions I sent the Surveyor he went to the Poole with intent to place more Officers on board but he was resisted by the Master and crew all in arms to the number of 25 men besides boys, and when Captain Hubbard who was in the Queen's Boat and is in the Commission of the Peace for that County enterposed they fired two shotts into the Queen's Boat but hurt no body and soon after weighed anchor and went off to the Eastward.

I examined the Priest yesterday on oath who was the Owner and who the Master of that Vessell whether bound and what ladeing had aboard but he said he knew noe more of him but that she was laden with wine and salt and in the voyadge he heard them say they were bound for the West of Ireland. The master of the fishing boat swears that he knew one Richard Butler who tould him he was Master of that Vessell. When I goe to Dungarvan on Wednesday I shall have a more particular account from Mr. Pierce Sherlock who I am informed was some hours on board. Honord Sir Your Most Obedient BR. BADHAM.

Directed to the Commissioners of Revenue.

Whether Captain Butler was captured or not does not appear. As a harbourer of popish clergy he had incurred a penalty of £20, and moreover was liable to be kept in prison at the will of the local authority.

The humble Petition of Peter Darcy of Galway to his Excellency Lord Rochester.

Sheweth—That your petitioner is a native and merchant of Galway, that in his youth he was bred in the West Indies, that he continued trading abroade, trading between Spain, France and the West Indies till he came last to Paris and thence last October to Gallway having his Maiesties Lycence for such his returne.

That your Petitioner is now taken upp and confined by the Mayor of the said town of Gallway and denyes bayleing him alledgeing that your Petitioner brought some ffryers upon his shipp from France vnto this kingdom.

That your Petitioner knew nothing of any Act of Parliament

prohibitting the returne of Roman Catholicke Clergy into this kingdom and that it was the Master of the shipp that agreed with passengers and was to receive to his owne use the benefit of such passengers. P. DARCY.

[Endorsed] Attorney Generall or Sollicitor.

If his Excellency was puzzled whether his humble petitioner was a harbourer within the meaning of the Act, the following—from Galway also,—was a more difficult poser:

Galway 30 March 1708

Sir—I have an account that on board a frigate from China now in Roundstone bay and expected hither the next fair wind there is a ffrench popish Bishop and some other Roman Cleargy men I desire to have the Government direction how I shall carry myselfe towards him or whether he shall be permitted to land for if he does, it is thought he will ordaine some young priests here. Yours

To Secretary Dawson. J. EYRE.

Eyre seems to have got directions that no quarter was to be given, for on the 30th April he acquaints Dawson that he has captured the vessel with its crew and passengers.

Often the authorities were at a loss to know whether the suspicious arrivals were priests or not. Incriminating papers however occasionally betrayed them, for testimonies of orders and of religious profession had to be kept at all hazards. Many of these taken from captured ecclesiastics are still preserved at the Record Office.

Infrascriptus attestor Fratrem Joannem Macguire post annum sui probationis professionem seraphicam solemniter in meis manibus in hoc conventu nostro de Gallbally hac die septima Augusti 1742. FRANCISCUS ROURKE.

Furnished with this he made his way to some of the Irish Franciscan houses abroad—Louvain, Prague, or Rome. Three years later he was captured on his return.

Brother John Maguire an Irish Friar Minor having completed his Theology is about to return soon to the mission in his native land sorely tried under the galling yoke of heretics (missionem suae afflictae Patriae sub diro hereticorum jugo degentis). Wherefore he seeks faculties for granting indulgences on the point of death, blessing rosaries etc. December 20 1745.

Again the authorities were sometimes advised beforehand. The Duke of Grafton, Lord Lieutenant, on 5th February, 1723, acquaints the Lords Justices.

Lord Townsend sends me information of a vessel bound for Waterford having on board severall suspected persons who are said to come from Rome or Spain with a considerable quantity of gold and silver. You are to direct the officers on the coast to keep a strict watch.

His Grace had indeed more than once to spur his deputies into action. On 12th June previous he enclosed a letter from the Customs Collector of Wexford reporting the arrest of a friar there coming from Spain adding "It is proper that some endeavour be used to apprehend John Begley the pretended Vicar-Generall [of Limerick]."

In Youghal there had been complaints that arrivals there had not been sufficiently scrutinized. After that the practice was to hold up any persons whose identity or calling was unknown. Thomas Uniacke, Mayor, on 24th April, 1724, petitioned the Lords Justices that on the 20th October previous he had seized and secured the following persons who came as passengers on the ship Margery, of Dublin, bound to Dublin from Rouen, and whom he had just reason to suspect were popish priests, viz., William Butler, Paul Hally, James Graham, Nicholas Farrelly, Thomas Stone, James Smith, Christopher Archbold, and Bryan Hopkins. An order came that the trunks, books and papers belonging to these persons should be forwarded to Dublin for examination, the Master and passengers meanwhile to be kept prisoners in Youghal. Since then the Mayor had heard nothing, and he now petitioned for a grant of money towards his prisoners maintenance.

We meet with a similar complaint regarding Galway.

25 October 1701.

Sir—My Lord Lieutenant having received information that two friars lately landed at Galway out of a French ship arrived in that port, and that two post days have since passed without any account thereof being sent from you, his Excellency has commanded me to let you know he is not well pleased with your remissness in not advising him with the landing of any person at your port contrary to the laws of this kingdom and expects you will forthwith send up an account to me if those two friars have been seized according to Act of Parliament and are in custody and also what else has been done in that matter.

To the Mayor of Galway. Yours, FRANCIS GWIN.

But it was along the coast of southern Cork and the fiords

of West Kerry that most of this illegal traffic was carried on. The enterprising smugglers who were running wine and brandy in exchange for Irish wool, or the fast cruisers engaged in the export of "Wild Geese" to France and Spain cared little for the penalties attached to landing priests in Ireland. Hence the collectors and other officers had need to be particularly active.

The Examinacon of Thomas Morgan of Crookhaven, Innkeeper, taken before William Hull, Justice of the Peace etc. 9 January 1710.

Sayeth—That in September 1708 one Patrick Grady of Crookhaven seeing a shipp rideing by went in his boate on boarde of the said shipp and there continued for some time but parteing from the said shipp brought to [two] eminent men from boarde which this Deponent vnderstood was ffryers or cleargy out of ffrance and landed them on the land of Cuoseene in the parish of Skull, that immediately after the said passengers landed one Kean Mahon of Meenterory came and received the said two persons and carryed them with him to the said Mahon his father in laws house Edmund Hodnett where he sheltered, harbored and kept them for some time until he supplyed the said persons with meate, drincke, washinge and lodgeing, horses and furniture and afterwards conveyed said persons to Corke. The aforesaid persons had arms.

To judge from the fact that arms were carried, the service at times involved no little risk. The rewards however were ample. Michael Parke writes to Secretary Dawson from Bantry, 15th June, 1703:

I have a long time awaited their Excellencies pleasure in relation to the rewarde I payed, in confidence that their Lordshipps would againe reemburse me ffor the apprehending McGwire the ffryer whom I comitted to Gaole who was thereuppon soone after sent backe to France from whence he came, by Alderman Rogers of Cork which I think ought not to barr me of the five pounds.

From the neighbouring port of Kinsale were sent reports of the capture of wondrous ecclesiastical dignitaries. George Pepper writes to Dawson 23rd January, 1704:

Yesterday I took up here a Jesuit one of the order of Cordeeliers in his habitt whom I understood said some seditious words. The ffrench priests taken on board our privateers are suffered to go aboute the country and preach everywhere which I feare will be of ill consequence.

But there was a greater *coup* even than the arrest of a Jesuit who was "one of the order of Cordeeliers." In February, 1709,

their Excellencies the Lords Justices, were gratified with the intelligence that a real live bishop (and a Spainard to boot) was taken. Orders were at once issued to have him sent to Dublin, and on 5th March, Pepper writes that the bishop has already commenced the journey. There was however a hitch; their Excellencies had reason to believe that the authorities at Kinsale had discovered a mare's nest. On the 13th March we read:

> Mr. John Anthony Knt. of the order of St. John for whom the Government lately sent is here under the denomination of a Spainish Bishop. I hope he'll make such discoveries as will tend to her Maiesties service. Mr. Chudleigh is informed by Mr. Pepper of that town that the said Bishop has aspersed him with the taking of five pistolls from him which is as false as God is true. If the Bishop has said any such thing of him he is very unworthy besides ungrateful to one that used him very civilly.

The affair soon after fizzled out with the discharge of the "bishop."

In the harbour of Cork itself priests were captured from time to time. Robert Hill writes to Dawson 21st June, 1702:

> Four Irish priests are brought to Gaol this day havinge left Nantz about twenty dayes past and came in the Mary of Galloway to Baltimore which was loaden with salt and Indigo and bounde for Galloway.

Rowland Delahoyde, Mayor of Cork 1708-9, had the usual share of Huguenot leaven; he was a magistrate according to the Executive's own heart.

NARCISSUS MARSH, R. FREEMAN.

> Having received an account from Roland Delahide Esq. Mayor of Corke that he has upon information given him seized severall Bookes, papers and parchments in the custody of one Christopher Martin a Registered Popish Priest containing matters of dangerous consequence to her Maiesties person and government and thereupon committed the said Martin to the Gaole of Corke which Books the said Mr. Delahide transmitted to us. We do hereby send you the said Books, papers and parchments and require you to peruse and examine the same and Report vnto us the substance therein contained and your Opinion what is fitt to be done in order to the prosecution of said Martin. 22 Oct. 1708.
>
> To Thos. Coote Justice of Queen's Bench and the Attorney and the Solicitor General.

Corke 7 Decem. 1708.

Sir—I am advised that Mr. Archdeacon who was concerned in the buying and dispersing some of the priests books has petitioned Government and set forth that some of his books and papers were detained and be very much damadged—he haveing severall ships in the harbour. None of his books were taken from him save his copy book of letters in which nothing very materiall was found. But I am of opinion he having notice of the letter we found among the priest his papers put him on his guard. I have been informed the Council have been informed that Martin the priest and Archdeacon have too much favour shown them. For answer, on all occasions when any of that sort are called in question they never want some Protestant to appeare for them, but I do assure you while I have the honour of serving this Citty I will never favour any one of them. The priest has been confined ever since in the Common Gaole and bound over in £1000 to appeare at the Assizes. I pray you to believe none is more for the interest of the Protestant religion than your most humble servant. ROWLAND DELAHOYDE.

Corke 30 August 1709.

Sir—I hinted Mr. Attorney Generall last post of suspected persons mett with at sea on board a Sloop coming to Corke and belonging to one Captain Rickards of this town, who were suspected to be priests and on examination I find them to be so, one of them owning the same but Comins deneys it, he seeming a very sharp fellow and under noe confirmation—the onely paper found with him mentioning his being a priest was torn in one halfe in one pocket and the other in another, and pretends to be a brewer. But I take him to be a jolly fat priest that loves a cup of good brewer's ale. For Flanagan's part hee's a Taylor by trade but owns himself a priest sayeing he learned the taylor's trade when young. They own to have gone out of this kingdom about sixteen years past and are now returning. I send you a Coppy of the Leftenant of the man of warr's Examinacons and the five papers of any worth found with him. They have many mass books which I will have looked into. I desire you let my Lordship know of this and that I may have his commands, for till then they shall be continued in gaole where they have been since yesterday 12 o'c. Your honour's humble servt.

ROW. DELAHOIDE.

The liking for a cup of good ale ought surely have awakened a kindly feeling in the Mayor's breast, for in a letter to Dawson, 24th June, 1719, he writes "I shall drinke to yr good health in Bottle good Red." Perhaps it did, but still the search for priests arriving in port was long kept up.

The humble petition of Thomas Price to their Excellencies the Lords Justices etc.

Sheweth That one James Corbally a Reputed priest was taken Prisoner by the Ambuscade privateer and brought into the harbour of Corke. That by order of the Lord Lieutenant, Lord Chesterfield, the said Corbally was brought prisoner to Dublin 26 December last and committed to your petitioner's custody and continued therein from said 26 December 1745 to the 29 day of July 1746, wherefore he prays etc. for the sum of £101.

This series may be concluded with abstracts of a few documents illustrating the peregrinations made by Irish ecclesiastics before an Irish harbour was run. The John Butler of the first examination was afterwards the notorious bishop of Cork who apostatised in succeeding to the Dunboyne peerage but who made amends on his death bed by founding the "Dunboyne Establishment" at Maynooth College.

On 30th October, 1758, John Fletcher, master of the Shannon of Whitehaven, appeared before John Wennington, Justice of the Peace in Whitehaven, and made complaint. That on the 17th of October instant being at Bordeaux the Duke of Richelieu, governor of Bordeaux, by force put aboard his ship four persons. On his arrival at Whitehaven he delivered over the said four persons to Peter How, a Justice of the Peace. Their examinations were taken as follows:

John Butler of Grange, Co. Tipperary, Ireland, Gentleman, now of the age of twenty seven years. He was born at Grange in the parish of Kiltinan. He is a single man and the third son of the late Lord Dunboyne of Grange deceased. When of the age of nineteen years he was sent to Italy for his improvement. He went by way of Cadiz, Genoa and Leghorn to Rome. There he remained some years, after which he returned back to Florence and thence to Leghorn in hopes to meet a convoy for Ireland. But failing in this he went to Marseilles and thence to Bordeaux. He is of no business or employment, never took the oath of allegiance to the King of France etc.

Philip Levings of Disert in the County of Louth, Gentleman, Is thirty two years old, a single man, the third son of James Levings of that place. He was educated in Ireland until his twenty first year when he went to Lisbon for his improvement. Thence he went to Seville and afterwards to Cadiz in which place he remained some years. In 1755 he went thence to Rome where he stayed some time to improve in the erudition and see the curiosities of that part. From there in August last he proceeded

to Florence and Leghorn in hopes to return to Ireland. From Leghorn he went to Marseilles and thence to Bordeaux where he spent five weeks expecting a neutral vessel for Holland or Spain in order to go thence to Ireland. He is of no business or employment and never took the oath of allegiance to the King of France.

John Byrne of the City of Dublin of the age of twenty years. He was born in James St. in that city. He left Dublin 14 August 1758 bound for Bordeaux to be an apprentice to Mr. Byrne who is a merchant there. He was only two months in France and cannot speak a word of French.

Henry Rice of Dingle in the County of Kerry, Bachelor of Physick. He is twenty two years old, a single man and second son unto Stephen Rice of Dingle. He studied humanity in Trinity College Louvain, and philosophy in Lille. He went thence to Montpellier in 1755 to study physick where he remained until 8 September last when he went to Bordeaux intending for Spain or Holland whence he might return in a neutral ship home to Ireland. He has never taken an Oath of Allegiance to the King of France.

The foregoing will sufficiently illustrate the difficulties that priests after their education and ordination abroad, had in making their way into Ireland. But once within the country their troubles only increased. They were held in a still closer mesh. For the code contained an efficient machinery for discovering and entrapping ecclesiastics who had come in or had returned in defiance of the Acts 7, William III. and 2 Anne. The priests of the year 1704 were all obliged to furnish to the local authorities full particulars whereby they might be identified. And accordingly as they died, anyone venturing to officiate in the vacant parishes would at once be observed and pounced upon. Finally as the registered priests were not dying out fast enough the Act 8, Anne, compelled them to take the Oath of Abjuration. On refusal they subjected themselves to transportation and the other penalties enacted against regulars and others exercising ecclesiastical jurisdiction. The following abstracts therefore will explain this portion of our subject:

III.

Laws for the Registration of the Popish Clergy; for enforcing the Oath of Abjuration, etc.

2 Anne, C. 7.

1. All popish priests now in Ireland shall at the next quarter sessions of the peace to be held in the several counties next after 24 June

1704 return their names and places of abode to the respective clerks of the peace in the counties where the said popish priests reside, with their age, the parish of which he pretends to be popish priest, the time and place of their first receiving popish orders and from whom they received the same and shall then enter into recognisance with two sureties each in the sum of £50 that such popish priest shall be of peaceable behaviour and not remove out of such county into any other part of the kingdom.

All popish priests who shall not make such return being convicted thereof shall be committed to the common gaol till they be transported.

2. All popish priests so transported, upon their return into the kingdom shall be liable to penalties inflicted on popish regulars.

All clerks of the peace shall transmit in ten days after the sessions, the above described return on pain of £10, to the clerk of the council, and the return may be viewed without fee.

4. No popish priest shall have any popish curate, assistant or coadjutor and every popish priest that shall neglect to register himself pursuant to this act shall depart out of this kingdom before 20th day of July 1704 on pain of being prosecuted as a popish regular.

5. This act shall be given in charge at every general assizes and the list of such priests that are registered shall be publickly read after the charge given.

The Registration Act was subsequently improved.

8 ANNE, C. 3.

19. No popish parish priest shall have any popish curate, assistant or coadjutor and every popish parish priest that shall keep any such popish curate, assistant or coadjutor shall lose the benefit of having been registered and shall incur all the penalties of a popish regular, and every such popish curate, assistant or coadjutor shall be deemed a popish regular.

26. No popish priest shall officiate or exercise the function of a popish priest in any parish but that in which he did officiate at the time of registration and for which he was registered under the penalties that popish regulars convict are liable unto.

Under this Act one thousand and eighty-nine priests registered themselves, viz.: one hundred and eighty-nine in Ulster, three hundred and fifty-two in Leinster, two hundred and eighty-nine in Munster, and two hundred and fifty-nine in Connaught (*ff*).

(*ff*) A List of the Names of the Popish Parish Priests throughout the several Counties in the kingdom of Ireland together with their Places of Abode, Age, etc. Dublin, Printed by Andrew Crook, Printer to the Queen's Most Excellent Majesty, on the Blind-Key 1705, sm. fo.

It will be remembered that the Government returns five years earlier found only eight hundred and ninety-two secular priests in the country. The discrepancy is explained by the fact that many of the regulars remained in spite of the statute 9 William III. For want of secular clergy they acted as parish priests and this afforded them a serviceable disguise. We meet Jesuits, for instance, registered for parishes in Dublin, Meath, Waterford and elsewhere. But as a more curious evidence of how the law was evaded, the only two bishops in the country, duly registered themselves with full particulars. Archbishop Comerford of Cashel, sheltered by the Mathews of Annfield, was living at Thurles, then a remote village on the edge of the great bog of Monely. He passed as the parish priest though his rank must have been known to the whole country.

Com. Tipperar. and Croc. Tipperar. } A List of the Names of the Popish Parish Priests as they were Registerd at the General Sessions of the Peace held for the said County at Nenagh the Eleventh day of July 1704.

No. 45. Name—Edward Comerford. Place of Abode—Thurles, Age 60. Parish of which he pretends to be Popish Priest—Thurles. Time of his receiving Popish Orders—1669. Place where he received Orders—at Roan [Rouen]. From whom he received them—Andrew Lynch Bp. of Finnobore.

Similarly Bishop O'Donnelly appointed to the see of Dromore in 1697, lived in a humble cabin on the slope of Slieve Gullion, overlooking Newry.

Com. Armagh } A List of the Names of the Popish Parish Priests as they are registered at a General Sessions of the Peace held at Lurgan 10 July 1704.

No. 6. Patrick Donelly. Place of Abode—Corrimallagh. Age—55. Parish of which he pretends to be Popish Priest—That part of the Parish of Newry that lies in the Co. Armagh. Time of Receiving Popish Orders—1673. Where he received Orders—at Dundalk. From whom he received them—Dr. Oliver Plunket Popish Archbishop of Armagh. Sureties Names—Terence Murphy of Lurgan yeoman £50, Patrick Guinness of Lurgan yeoman £50.

It is probable therefore that nearly all the priests then in Ireland registered themselves. For it was believed that the aim of government was merely to enforce the Acts, 9 Will. III. against regulars, and 2 Anne against the recruiting of the priesthood from abroad,

and accordingly that the registration act was directed not against the existing clergy but their successors. Hence they willingly availed of the refuge which a legal recognition afforded. But whether the original plan was to suffer the priesthood to die a natural death or not, the opportunity now offered was too good to be lost. The registration act had put the clergy fair on the anvil, and it was resolved to strike them with the whole strength of government.

8 ANNE, C. 3, SEC 23.

All popish priests who have been registered in pursuance of the former act for registering the popish clergy shall take the oath of abjuration before the 25th day of March 1710 in one of the four courts at Dublin or at some quarter sessions where such popish priests have been registered and upon neglect or refusal and after the said 25th day of March celebrating mass or officiating as a popish priest, such popish priest shall incur such penalties and forfeitures as a popish regular clergyman convict by the laws of this realm is liable unto.

THE OATH OF ABJURATION.

I *A.B.*, do truly and sincerely acknowledge, profess testify and declare in my conscience before God and the world that our sovereign lady Queen Anne is lawful and rightful queen of this realm and of all other her majesty's dominions and countries thereunto belonging. And I do solemnly and sincerely declare that I do believe in my conscience that the person pretended to be Prince of Wales during the life of the late King James and since his decease pretending to be and taking upon himself the style and title of King of England by the name of James the Third hath not any right or title whatsoever to the crown of this realm or any other the dominions thereto belonging. And I do renounce, abjure and refuse any allegiance or obedience to him ; and I do swear that I will bear faith and true allegiance to her majesty Queen Anne and her will defend to the utmost of my power against all traitorous conspiracies and attempt whatsoever which shall be made against her person, crown or dignity ; and I will do my best endeavour to disclose and make known to her majesty and her successors all treasons and traitorous conspiracies which I shall know to be against her or any of them ; and I do faithfully promise to the utmost of my power to support, maintain and defend the limitation and succession of the crown against him the said James, and all other persons whatsoever as the same is and stands limited by an act intitled "An act declaring the Right and Liberties of the Subject, and settling the Succession of the Crown to her present Majesty and the Heirs of her Body being Protestants" and as the same by one

other act intitled "An act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject, is and stands limited after the decease of her Majesty and for default of Issue of her Majesty, to the Princess Sophia Electress and Dutchess Dowager of Hanover and the Heirs of her Body being Protestants," and all these things I do plainly and sincerely acknowledge and swear according to the express words by me spoken and according to the plain and common sense and understanding of the same words without any equivocation, mental evasion or secret reservation whatsoever; and I do make this recognition, acknowledgment, abjuration, renunciation and promise heartily willingly and truly upon the true faith of a Christian. So help me God.

The situation created by this law is admirably described in an anonymous pamphlet, printed in Dublin in 1724, entitled "The Case of the Catholics of Ireland Humbly represented to both Houses of Parliament." It is supposed to have been written by Cornelius Nary, parish priest of St. Michan's, Dublin.

I am no ways concerned at taking the oath of allegiance, which is the law of nature and which the common practice of all nations allows me to take with a safe conscience to any prince who conquers me and the country of which I am a member, though he be never so great a tyrant or usurper—even to the Czar of Muscovy or the Grand Turk. . . . . As to the oath of abjuration there is a vast difference. For there are some clauses in it to the truth of which no Roman Catholic—at least I am convinced I cannot—in conscience swear. I shall single out three. First I am required to swear that I believe in my conscience the late King James or the Pretender has no right or title whatsoever to the crown of England. Now I am so far a stranger to the right and titles of Kings and princes (and I am sure most of my profession if not all, in this kingdom are so) that I would not take such an oath to any King, prince or potentate in Europe with respect to all such pretenders to their crowns. For to be able to swear it, I must have sure and certain grounds for my belief. But this is what I could never yet find. Nay many divines and persons of note of the Church of England have and do still believe that neither the late King James nor the Pretender has forfeited his right to the crown. And I am sure all the divines and lawyers in France, Spain and Italy are of the same opinion. How then can I or any other Roman Catholic in this kingdom ground my belief to swear he has not?

. . . . . .

Secondly there is another clause requiring men to swear they will maintain the succession in the Protestant line. Now how many Roman Catholics, continuing such, can in conscience take such

an oath? For I am sworn (should I take the said oath) to withdraw my obedience from King George and his successors in case he or his successors should become Roman Catholics. Nor is this an imaginary case. The King of Navarre, Henry IV, was once a Protestant and became a Roman Catholic. The Duke of Saxony, now King of Poland, was a Protestant but is now a Roman Catholic; and to come nearer home Charles II. and King James his brother both became Roman Catholics. How if it should so happen that the royal family should embrace the religion which I profess, could I in conscience violate my oath of allegiance, and to my power be aiding and assisting in dethroning them for what in my opinion and belief they ought to do? . . . . . .

The third clause in the oath runs thus "I make this recognition heartily, willingly" etc. I shall only remark that to my certain knowledge many a man as well Protestant as Catholic has taken the oath with aching hearts and no other way willingly than as a sailor in a storm throws his goods overboard to save his life.

This last and most drastic act against priests not only created consternation at home but fluttered the Catholic chancellories in Europe. A few years before when it was proposed to impose the Oath of Abjuration the Catholics had successfully petitioned the English Privy Council. If this law were enacted, they said:

No priest could remain in Ireland; none could come thither from abroad under penalty of high treason; and no Catholic could live there, being barred the exercise of his religion.

They humbly hoped her Majesty would refuse to consent to a law which was a breach of faith.

Petitions to England being now of no avail, the help of Catholic Europe was sought. Father Bonaventure De Burgo was sent from Rome to the Emperor. He was the ally of Marlborough, and Marlborough was virtual ruler of England. The Kings of Poland and Portugal, the Duke of Genoa and other minor potentates also intervened. In vain, however, all representations made by the foreign ambassadors were met as on a former occasion by bold, deliberate lying (*gg*). English statesmen had now the opportunity once and for all of getting rid of priests and Catholicism, and were not to be deprived of it by mere diplomatic pressure.

There remain now to be considered the laws forbidding

(*gg*) Spicilegium Ossoriense, Vol. II. Klopp's Der Fall des Hauses Stuart *passim*.

marriages between Protestants and Catholics. Here we are not concerned with the disabilities and penalties inflicted on the contracting parties but only with the sections that affected priests.

IV.

9 WILLIAM III, C. 28.

1. No Protestant woman possessed of or heir to real estate or personalty of the value of £500 shall take to husband any person without having first having obtained a certificate from the minister of the parish, bishop of the diocese and neighbouring Justice of Peace (or any two of them) that he is a known Protestant.
3. In case any popish priest or other person shall join in marriage any Protestant woman having any of the said estates to any person without having such certificate, such popish priest or other person for every such offence shall on conviction suffer one year's imprisonment and forfeit £20.

6 ANNE, C. 16.

3. If any person shall by subtilty or threats persuade the son of any person having real estate to the yearly value of £50, or personal estate to the value of £500, to contract matrimony without the consent of his parents or guardians, before he attain the age of 21 years, such person shall be disabled etc.
6. If any popish priest shall celebrate the marriage of such person aforesaid, or shall celebrate matrimony between any persons knowing at the time either of them is a Protestant, every such priest on conviction shall be judged to be a popish regular.

8 ANNE, C. 3.

28. Any popish priest prosecuted for offending against the statute 6 Anne, c. 16, it shall be concluded that the said popish priest did celebrate matrimony knowing that they or one of them was a Protestant, unless he shall produce certificates from the ministers of the parties that the said persons were not Protestants.

12 GEO. I, C. 3.

1. If any popish priest or reputed popish priest or person pretending to be a popish priest shall celebrate marriage between two Protestants or reputed Protestants or between a Protestant or reputed Protestant and a papist, such popish priest shall be guilty of felony.
2. It shall be lawful for any two Justices of the Peace to summon persons suspected to be married by such popish priest, or to have been present at the celebration of such marriage, and examine such persons on oath when and by whom such marriage was celebrated.

19 GEO. II, C. 13.

1. Every marriage celebrated after 1st May 1746 between a papist and any person who hath been a Protestant at any time within

twelve months of such celebration, or between two Protestants if celebrated by a popish priest, shall be absolutely null and void.

The difficulties of obtaining evidence against priests officiating at such marriages are obvious. But very little was needed, and if marriage could not be proved, the celebrating of mass easily could be, so that the obnoxious priest could be dealt with.

County of Cork.

The Information of Francis Fling of Mallow taken before John Dillon and John Raymond two of his Majesties Justices of the Peace 28 Aprill 1749.

Said Informant being sworn etc saith that on Saturday Aprill 15 he met with Father John Everard or Ilard a reputed popish priest after night fall on the walks of Mallow leading to the Well who had some conversation with the said Fr. John Everard or Ilard relative to the Marriage of Randal Kells and Elizabeth Phillpot both of the town of Mallow. Said Fr. John Everard or Ilard told this Informant the Danger the Priest was in who had marryed the said Randal Kells and Elizabeth Phillpot and that his neck was in the Halter or some words to that Effect and cautioned this Informant how he made any discovery relative to such marriage as may indanger the said Priest as did marry. This Informant verily believeth such caution to him was lest he may make any discovery as may indanger him the said Father. Said Informant met Patrick Terrant of Mallow about 10 o'clock of night said Randall Kells and said Elizabeth Phillpot were marryed, and told him he believed said Randal was going to be marryed.

Robert Philpott Appothecary, being sworn etc. saith On Saturday night being the 9th instant finding that his daughter Elizabeth was missing, he caused diligent search to be made and in a short time had an account that she was at Mrs. Mary Breretons in Mallow with Randal Kells of Mallow, Shopkeeper, who insisted that the said Elizabeth was his wife. And he is convinced in his conscience that the said felonious marriage was celebrated by John Everard who for severall yeares past has performed the business and office of a popish priest to wit, marrying, saying of mass and christening etc. and verily believes that he has clandestinely married severall of the Protestant religion and verily believes has seduced severall Protestants so as to be of the Popish religion.

Upon the general issue of Everard's being an officiating popish priest there was a whole sheaf of informations. Bartholomew White, Maurice Power, and John Hays swore they

Were at the public mass celebrated by Fr. John Everard at the

chappell near the Fair place on Sunday 26 March last and he then appeared in his vestments.

This was enough for the Cork Grand Jurors.

We find and present that John Everard otherwise Ilard a popish priest of the town of Mallow who stands indicted for celebrating mass contrary to Law and also for marrying Randal Kells and Elizabeth Phillpot two Protestants of the Church of Ireland as by Law Established, is a dangerous person out on his keeping and has not stood his tryall for these crimes. We therefore petition your Lordships he may be proclaimed.

Signed Robert Longfield, Richard Con [and fourteen others.]

[Endorsed] At a General Assizes and General Gaol Delivery held at the King's Old Castle in and for the County of Cork 5 August 1751.

Whether Everard was run to earth or after due proclamation shot down by the first furious Protestant he met, does not appear. But this is certain that no priestly ministrations kindled such angry passions and were so fiercely resented as assisting at marriages where one or both parties were Protestant. In 1726 Rev. Timothy Ryan was arrested by the Mayor of Limerick, Lieutenant-General Thomas Pierse, on a charge of marrying a Protestant to a Catholic wife. He was tried at the assizes and executed.

The code being complete we may consider here what machinery there was for enforcing it. In the first place it is to be remembered that the whole military and civil services of the country were to a man Protestant. From the Lord Lieutenant down to the tide-waiter at the port, and the revenue collector in the country, all were Protestants. So too were the county officials, and so the borough and parish constables. But behind these was a force far more numerous and effective. The two revolutions had set down in the country an omni-present garrison of planters. Sprung from the Puritan middle class—at once the narrowest and most energetic of English types—they had possessed themselves of the land of the Amorrhites by force, and by force they meant to keep it. Now upon these the administering of the popery laws mainly depended. They composed the magistracy and the grand juries; they made up the petty juries in all cases into which religion entered; they formed the quorum at quarter sessions. Having crushed the old gentry into pauperism or driven them abroad, only the priests

remained to lead the multitudinous idolaters around them. Hence they eagerly co-operated in the work of extermination. When every other year they met in parliament their rancour often outran the laws themselves.

30 October 1707.

Resolved *nemine contradicente* that all popish priests within this kingdom are obliged to take the Oath of Abjuration by the laws in force in this kingdom and all such priests refusing or neglecting to take the same ought to be prosecuted for such refusal or neglect.

Resolved *nemine contradicente* that it is the indispensible duty of all Judges and Magistrates to put the said laws in execution against popish priests.

Needless to say, such was not the law as it then stood.

20 August 1709.

Resolved that it appears to this House that several popish titular Bishops and regular clergymen of the Church of Rome are lately come into this kingdom and exercise within the same, foreign jurisdiction and continue the succession of the Romish priesthood by ordaining great numbers of popish clergymen.

Resolved that the laws now in force against popish Bishops and regulars coming or returning into this kingdom are defective in the detection of such persons and their harbourers and that such defect hath chiefly occasioned the coming or returning of such popish Bishops and regulars into this kingdom.

21 June 1710.

Ordered that a Committee be appointed to inquire and examine in what manner the two Acts to prevent the further growth of popery have been executed and how they have been evaded and that they have power to send for persons, papers and records.

From these and similar resolutions one may appreciate the temper of the class upon whom devolved the execution of the popery laws. Even if they felt inclined to mitigate the rigours of the law, they had little discretion. The statute 4 Anne, c. 2, for example enacted:

All justices of the peace, sheriffs, high and petty constables and all other subjects are required to use their utmost diligence in apprehending clergymen of the popish religion and other persons exercising the functions of a popish priest and not registered.

If any mayor, justice of the peace or other officer, voluntarily shall neglect their duty in execution of this act every such mayor, justice of the peace and other officer, shall for every

such neglect forfeit fifty pounds to be recovered by action of debt etc. wherein no essoign etc. shall be allowed nor more than one imparlance, one moiety thereof to the Queen and the other moiety to the informer or person that shall sue for the same.

The penalties on magistrates not enforcing the law were on a fixed scale—£50 for not apprehending an unregistered priest; £100 for knowingly permitting a priest to come into the kingdom from abroad; £100 for conniving at the presence of a bishop or regular clergyman in the country. Moreover in these latter cases there was the further penalty of removal from the commission of the peace.

If the evidence of magisterial zeal is not as complete in detail as one could desire, the records of the central government on the other hand leave little doubt as to the strenuous efforts to enforce the code. From 1708 onwards in lengthening intervals to the middle of the century there is a series of proclamations against the popish clergy. Sometimes it is a general order to quit the country; sometimes a proclamation against a particularly obnoxious priest; sometimes a promise of reward for the capture of persons who had rescued a friar or dignitary. Furthermore the judges going circuit received special mandates. Two of these for the year 1715 may be given.

INSTRUCTIONS TO THE JUDGES THAT GO TO THE LENT CIRCUITS IN MARCH 1714-5.

. . . . . .

3. To Enquire and give Special Charge to the Grand Juryes to return what Registered Priests are dead in their severall Counties what parishes they belonged to, if any have succeeded and who they are.
4. To Enquire who were the securities for the severall priests whether such securities are dead and not to be found and certifie their names to the Justices.
5. To Enquire strictly what priests or reputed priests have come from Foreign Parts into this kingdom since the Act; to present their names, Places of Abode and Harbourers.
6. What persons have transgressed the Act for Foreign Education and oblige those suspected to produce their children according to the Act.
10. To put the laws in Execution against all Popish Regulars reputed Regulars and all such as pretend to or assume any Jurisdiction.

INSTRUCTIONS TO THE JUDGES SUMMER CIRCUIT 1715.

. . . . . .

6. Whereas we understand that severall popish priests have been convicted and still lie in Gaol when they ought according to Law to be transported. You are to Enquire into this matter and into the reason why they have not been transported and to return their names and the Gaols where they lie to the Chief Governors, and order the Sheriff immediately to take care that they be transported and if you perceive that the Sheriff cannot get them out of the kingdom for the Premium allowed, you are to take care that they be removed to Dublin that the Government may order their transportation.

How the judges interpreted their instructions may be gathered from a charge made to the Kilkenny Grand Jury at the summer assizes 1714. It was by that model judge, Sir Richard Cox.

Popery and the Pretender are the greatest and most irreconcileable enemies we have in the world. As for popery it is an implacable enemy to all sorts of Protestants. It considers them all as excommunicated heretics and consequently as lying under the curse of God here and the sentence of eternal damnation hereafter. The papists think us not worthy of Christian burial and where they have power they will not allow it. They say that out of their church there is no salvation and that out of their communion there is no church. Too many of them think we are incorrigible rebels and have no title to our lands nor much to our goods ; and consequently if they had opportunity would think it meritorious to deprive us of both. And of this our ancestors had woful experience in the barbarous and bloody rebellion of 1641, and we ourselves in the late rebellion of 1689 when two thousand of us were by name attainted by a sham Act of Parliament—some women, some children, some who had never seen the kingdom. Now Gentlemen you ought to observe that this popery which is so dangerous and spiteful to you, is also irreconcileable. For the pretended infallibility will not suffer papists to reform any error how gross soever, or make one step towards you. So that there can be no peace with Rome without swallowing all her superstitions and idolatries and without believing that monstrous doctrine of Transubstantiation which everybody knows to be false. Besides if you would conform to their religion, interest will not let them be reconciled to you, as long as the forfeited estates and the Clergy keep the honours and profits of the Church. . . . . Therefore it is absolutely necessary that all Protestants should unite for their common preservation since there are no other means left to subdue those numerous, indefatigable and implacable enemies.

Besides instructions to judges, the Council took into consideration how to make the laws more effective for their purpose.

By the Lords Justices and Council of Ireland.

Ordered that a Committee be appointed of the whole board or any three of them (whereof one of the Chief Judges to be one) to inspect the several Acts of Parliament now in force against Popish Priests in this kingdom and that the said Committee do forthwith report to this Board what methods they conceive to be the most proper to hinder any person from officiating as a preist or exercising ecclesiastical jurisdiction in this kingdom contrary to law—29 October 1716.

Nor is it to be supposed that the popery acts were given in charge only in seasons of special excitement. There is ample evidence that informations were sworn under them and presentments based on them more regularly and for a longer period than is generally thought. Even so late as December, 1760, the Grand Juries of Dublin City and County were charged to enquire and present offences against the Foreign Education Act, and the statutes of premunire (*hh*).

Again when reports came in from parts of the country of priests arriving, or of persons supposed to be dignitaries exercising jurisdiction, the executive took care to keep the magistrates up to concert pitch.

We are informed that the children of papists are frequently sent from severall parts of the Country beyond the Seas for Forreigne Education and that the Popish Priests who are not Registered or who have not taken the Oath of Abjuration do all over the kingdom officiate as Parish Priests without being taken notice of or punished for the same. We are very sensible that Justices of the Peace not only know these practices are directly contrary to Acts of Parliament lately passed in this kingdom but that the Government has frequently required them to put the Law in Execution against such practices. We do therefore hereby require you to acquaint the said Justices of the Peace herewith and let them know We do expect they will for the future show their duty to her Maiesties authority, and zeal for the same by being active and diligent in putting the laws in Execution against persons going out of this kingdom for Foreigne Education against all Popish Schoolmasters, against all Papists exercising Ecclesiasticall Jurisdiction and all Regulars of the Popish Clergy which have come into this kingdom or are remaining therein

(*hh*) A charge to the Grand Juries, etc., by the Hon. Christopher Robinson, Second Justice of the King's Bench, Dublin, 1760.

and the harbourers and concealers of them. Against all Popish priests which have come into this kingdom and against all Curates and Assistants to the Popish Clergy. Against Popish Priests officiating in any parish without being registered, or without having taken the Oath of Abjuration or officiating in any other parish then those for which they were Registered.
SHREWSBURY, THOMAS [Archbishop of] Armagh, CON. PHIPPS [Lord Chancellor], WILLIAM [Archbishop of] Dublin, JOHN [Archbishop of] Tuam, MOUNT ALEXANDER, ABERCORN, WILLIAM [Bishop of] Meath, EDMUND [Bishop of] Down and Connor, etc. —28 May 1714.

The magistrates on their part complained that if there were any neglect in enforcing the popery laws it was through the fault of the executive. Lord Chancellor Phipps had harangued the Dublin bench, and actually charged them with conniving at the celebration of mass in that city. The curious reply was:

What magistrates are remiss—Even those of his own making. His Lordship to increase the number of men of *loyalty*, has put most of the new converts into the Commission of the Peace and it is from these magistrates that priests not registered according to law, find shelter and protection, and dare in defiance of the laws to say mass openly. That encouragement should be given to new converts I allow, but for a man of forty years who has all his life lived a violent Roman Catholic on his coming over to the Church of Ireland to be put into the Commission of the Peace, is a piece of policy beyond my understanding. Can he immediately forget all his friends and relations? Can he be so deaf to the ties of relationship as to give up a priest, his cousin or perhaps brother, to be prosecuted? (*ii*).

Kindly human nature will however send its growths through the hardest soil. Often the devotion and self-sacrifice of the priest gained him the sympathy and forbearance of his Protestant neighbour; often too that touch of sport which makes the world kin, came to his relief. The following curious letter was found among the papers of the late Lord Howth:

My Lord—I have had the honour of being acquainted with your Lordship when last you were in this country at Turlevaghan. I have a fine Bitch well bred for your Lordship, I will bring her to you next April if these Acts permit me to stay in the kingdom so long. I never offended King or Government. I bred only

(*ii*) Resolutions of the House of Commons in Ireland relative to Lord Chancellor Phips with remarks on the Lord Chancellor's speech by a Member of Parliament—London, 1714.

good Hounds of all sorts, a double sort of Wolf Dogs. If this be an Offence to the Government and whistling a Tune, I never will be guilty of it again. If you Expell me, pray give me a little time untill my Whelps are able to travell as far as Vienna in Germany where I have a harty welcome from Prince Eugenius and the Prince of Swartzenberg who keeps the finest kenel of hounds in all Germany. There is not a King in Europe that keeps as good and as fine a kenel as the Prince of Swartzenberg. I seen all, and none comparable to it. Your Lordship can doe a great deal in this affaire, I hope if possible you will have me exempted, as I know you can if you please. You will have a greater loss by my being out of the kingdom than being in the kingdom. I am My Lord, Your Lordships humble friend and servant. JOHN GINKINS.

Tuam, Nov. 19.

I will be uneasy until I hear from your Lordship in Tuam.

But the friendly magistrate had to reckon with the informer.

Dublin Castle 4 March 1711-2.

Sir—My Lords Justices having communicated to the Council a letter received from Francis Burton Esq. giving an account that there are in your County several non-juring popish priests, some Regulars and others who exercise Ecclesiastical Jurisdiction who ought to be taken up, but as for the registered Priests non jurors if information he given against them that they execute ecclesiasticall offices the Justices of the Peace will issue their warrants against such. These are Mr. Burton's own words. In answer to which his Excellency and their Lordships are extreamely surprised to find there are so many popish priests in your County and no account from you of your having seized and committed any of them to Gaole in pursuance of his Excellencies and their Lordships express commands signified in my letter of the 26th of last month. I am again to repeat to you their former commands in causing all popish priests, whether they have taken the Oath of Abjuration or not or whether they are registered or not to be immediately seized and committed to Gaole. His Excellency and their Lordships do highly resent your neglect and disregard of their orders. So to compensate that omission you will exert yourself with more than ordinary diligence and zeale in seizing and committing the priests, and in returning an account to me what you have done therein with a Certificate of the Gaoler of the County of the number and names of the priests committed to his care. Your most humble servant

To Wm Butler Esq. at Ennis. J. DAWSON.

Here is a worse example of connivance:

Council Office Dublin Jany. 4, 1713.

Sir—I am commanded by their Excellencies the Lords Justices and Council to send you the enclosed Examination [missing]

against Francis Baker Mayor of Youghall and Francis White for taking money to allow Popish Priests to say mass in the town of Youghall, with their Excellencyes directions that you cause them to be prosecuted according to Law. I am etc.

J. DAWSON.

To Sir Richard Levinge, Baronett, her Majestyes Attorney Generall.

It is probable also that in many cases magistrates interpreted the law liberally.

Dublin Castle 5 December 1712.

Some Queries having been sent up from severall Counties to the Lords Justices concerning popish priests committed pursuant to the late Proclamation of the Lords Justices and Council, Their Excellencies and Lordships directed the Cheife Judges to consider thereof and return an answer thereto to the direction of the severall Justices of the Peace; and the Cheife Judges having laid before their Excellencies their opinion therein I am directed to send you a copy thereof to be communicated to the Justices of the Peace of your County at the next Quarter Sessions.

J. DAWSON.

[Enclosure].

Questions proposed to their Excellencies the Lords Justices of Ireland and their Answers.

1.

Whether Popish Archbishops, Bishops, Vicars Generall, Deans, Jesuits, Monks, Fryars or any other of the Regular Popish Clergy or any Papist exercising any Ecclesiasticall Jurisdiction who did not depart out of this kingdom before the first day of May 1698 or did come into it from any place beyond the Sea after the 29th day of December 1697 being taken or committed by one or more Justices of the Peace to prison may be bailed?

Answer. They may be bailed till Tryall and Conviction but if after Conviction and Transportation any of them return, it is Treason and not bailable by Justices of Peace.

2.

Whether secular priests who are not registered or being registered have not taken the Oath of Abjuration and yet exercise their function out of their Parish or that have any curate, assistant or Coadjutor or that have come into this kingdom since the first day of June 1703, are to be treated as Regulars?

Answer. They are to be treated as Regulars, and baylable till Conviction as aforesaid.

3.

Whether the Reward of £20 for apprehending Regular or Secular Popish Clergy does extend to such priests, or which of them?

Answer. It extends to all of them.

4.

Whether the witnesses against them should have personall summons

to appear before Justices of Peace or whether summons in writing left at their habitation will be sufficient?

Answer. The summons ought to be personall else the penalty should not be inflicted (*kk*).

Though for the first quarter of the century government bent itself with all its strength to the working of the code, the results were not commensurate.

Quid leges, sine moribus
Vanae proficiunt?

Father Nary wrote in 1724.—"It is certain that of eleven hundred Roman Catholic priests who were registered pursuant to the act of parliament for that purpose, not above thirty-three priests ever took the Oath of Abjuration; and of these thirty-three one half are now dead; and of the registered priests more than two-thirds. . . . . Must the civil and quiet priests who have lived these many years in the country be destroyed for the indiscretion of other priests whose coming they knew nothing of, nor if they had, was it in their power to prevent?" So that not only had the statute against priests coming into the country broken down, but the vast mass of those known and registered were living as outlaws in defiance of government. This fact is borne out by authorities on both sides. The Commons Journal records:

19 December 1713.

Ordered that all Justices of the Peace and Clerks of the Crown and Peace throughout this kingdom do immediately after next quarter sessions certify to this House what popish registered priests have taken the Oath of Abjuration and what priests having neglected to take the said Oath do still exercise their functions of priests.

Ordered that all Justices of the Peace and Clerks of the Crown and Peace do at the next quarter sessions certify to this House what popish priests not registered or who have neglected to take the Oath of Abjuration have exercised their functions since the time they ought to have been so registered or taken the said Oath and whether any and what prosecution hath been had against them for so doing.

Ordered that all sheriffs, Justices of the Peace, Clerks of the Crown and Peace and gaolers do certify this House what priests have

(*kk*) [Added] As neare as I could collect the sense of the Judges they all agree in the above answers which I pray you communicate to their Excellencies, from your humble servant RICHARD COX.

been convicted pursuant to the late Act and which of them have been transported and which not, with the causes of their not being transported.

The continuance of the priests in the country was indeed a constant source of complaint by the Protestant clergy. Secretary Sunderland was in 1715 apprised by Archbishop King of Dublin:

For want of a due execution of the laws many priests are come in from foreign parts and there are in the country Popish bishops concealed that ordain many. Little inquiry of late has been made into these matters.

In May, 1723, Nicholson, bishop of Derry, writes:

The present insolence of our Popish clergy is unspeakable. Our law makes it death for any of them (not qualified and licensed as the Act of Parliament directs by taking the oath of abjuration) to officiate; and yet I am abundantly assured that very lately in my own diocese four or five masses were openly said by as many different priests over the corpse of an executed robber, whose funeral rites were celebrated with as pompous and numerous an attendance as if the man had died knight of the shire (*ll*).

The executive blamed the magistrates and the magistrates blamed the law. The most elaborate contrivances for the detection and capture of the bishops and priests had failed to work. When a priest was caught, it could not be extorted from him who the ordaining prelate was, for several hands had been imposed on him at the same time.

And whereas they have conferred popish holy orders on popish priests who were not popish priests at the time of the registring, which they perform by laying on of the hands of many of the popish priests together to the intent that the party himself so receiving the said holy orders may not know in whom the power of conferring such popish holy orders was lodged. For the more effectual prevention of the mischiefs be it enacted etc. (8 Anne, c. 3, s. 25).

Again the simple expedient of hanging a curtain between the priest and the congregation not only outwitted the professional spies but rendered the inquisitions devised by the statute, utterly useless. For thereby Catholics hearing mass were enabled to disclaim on oath all knowledge of the identity of the priest. Parliament however did not yet despair; each session brought forth

(*ll*) Quoted by Lecky.

new plans. Though none of these got into the statute book a few deserve to be recorded as they afford singular evidence of the frantic bigotry of the times. In 1723 the Lord Lieutenant invited the faithful Commons to consider how the code could be amended and the outlawed priests brought to justice. The result was a bill which in the words of Lecky "deserves to rank with the most infamous edicts in the whole history of persecution" (*mm*). But there were lower levels still. In 1719 the Irish Privy Council made a proposal to the English cabinet for the extirpation of the priests which can hardly be discussed in decent history. And the episode should never find a place in these pages were not the facts long denied, and was there not in our own day an attempt by the most popular of English historians to misrepresent them. Governments in frenzied panic or under the stress of great provocation have from time to time been guilty of great cruelty or baseness, but it may be questioned whether in cold blood and in the course of routine administration any similar proposal was ever made. For there is here no plea of domestic treason or an enemy at the gates. The country was in profound peace and a peace moreover which could not be broken. The Duke of Bolton, Lord Lieutenant, writes to the English Council, 8th July, 1719:

> I must owne I thinke wee have not much reason to apprehend intestine commotion from the Irish. The Protestants are well affected and in such condition as to be able in conjunction with the remaining part of the army to prevent any disturbance from the natives while there may be a necessity of employing some of the forces of this kingdom in another place.

Yet on the 14th July the Commons

> Ordered that leave be given to bring in heads of a bill for better securing the Protestant interest of this kingdom by further amending the several Acts of Parliament to prevent the further growth of Popery and that Mr. Trotter, Mr. Attorney General, Mr. Solicitor General, Mr. Bernard, Mr. Marlay, and Mr. Ward do prepare and bring in the same.

The bill was introduced on 4th August, and six days later Mr. Trotter was ordered to attend the Lord Lieutenant with the bill and request him to have it transmitted to England. In sending the bill, his grace writes to Secretary Craggs:

(*mm*) *See* Bill in full in Appendix.

Dublin Castle 25 August 1719.

Sir—I have transmitted to the Lords Justices [of England] by this Pacquet nine more of the Publick Bills which will not I believe be found liable to many objections so as to take up much of your time. The Popery Bill as it came from the House of Commons inflicted no greater Punishment on the Priests of the Roman Religion than that of burning on the Cheek; but it being observed that when that punishment was executed in this kingdom in other cases, the Rapparees in their Robberies made it a Common practice to brand innocent persons with that mark in order to destroy the distinction it was intended for. And that nothing less than a very severe punishment would be effective to prevent the frequent arriving of priests here it was thought proper by the Privy Council to deter them with the penalty of Castration. If that be thought in England too severe yet as the Bill contains severall very material clauses and very beneficiall to the Protestant Interest I cannot but think it very proper to be returned whatever alteration may be made in that particular And am with very great truth Sir

Your most obedient humble servant

BOLTON.

The letter of the Irish Privy Council urging the measure was sent two days later.

Council Chamber, Dublin Castle,
27th of August 1719.

My Lords—We herewith transmit to your Excellencies the following bill—"An Act for Securing the Protestant Interest of this Kingdom by further Amending the several Acts of Parliament made against Papists and to Prevent the Growth of Popery." The heads of this bill arose in the House of Commons who being sensible (as the truth is) that there are now more unregistered Priests and Popish Archbishops, Bishops, Jesuits, Friars and others exercising foreign ecclesiastical jurisdiction in this kingdom than ever heretofore, notwithstanding the many laws against the same, found it impossible to prevent that evil otherwise than by subjecting persons who should be convicted of being unregistered Popish Priests, Popish Archbishops etc., to greater penalties than those they were liable to by the former acts. After the country hath paid a sum of twenty pounds to the discoverer of every such offender and been at great expense at prosecuting and convicting them of the offence, they are only liable to transportation, unless they return after being transported but for so doing are punishable with death. Priests Friars etc. are no sooner transported but new ones come over from France, Spain, or Portugal, so that their number continues as great as ever. The common Irish will never become Protestant or well affected to the crown while they are supplied

with Priests, Friars etc. who are the fomenters and disturbers here. So that some more effectual remedy to prevent Priests and Friars coming into this kingdom is perfectly necessary. The Commons proposed the marking of every priest who shall be convicted of being an unregistered Priest, Friar, etc. and of remaining in this kingdom after the 1st of May 1720 with a large P. to be made with a red hot Iron on the cheek. The council generally disliked that punishment, and have altered it into that of castration which they are persuaded will be the most effectual remedy that can be found out to clear this nation of the disturbers of the peace and quiet of the kingdom, and would have been very well pleased to have been able to have found out any other punishment which might in their opinion have remedied the evil. If your Excellencies shall not be of the same sentiments they submit to your consideration whether the punishment of castration may not be altered to that proposed by the Commons or to some other effectual one which may occur to your Lordships' consideration, but are fully convinced there is an absolute necessity of making the laws against unregistered Priests and Friars more severe than it (*sic*) now is.

There are several other good clauses and provisions in this bill, of which the nation will receive great benefit, and which are very needful to be enacted into law.

We therefore desire your Excellencies will be pleased that it may be returned in form under the great seal.

We are your Excellencies most humble servants.

[CHARLES PAULET, Duke of] Bolton.
[ALLEN BRODERICK, Lord] Middleton, Canc.
JOHN [EVENS, Bishop of] Meath.
JOHN [STERNE, Bishop of] Clogher.
[JAMES BARRY, LORD] SANTRY.
[SIR] OLIVER ST. GEORGE.
E. WEBSTER.
R. TIGHE.

To their Excellencies the Lords Justices of Great Britain, Whitehall.

[Under Cover] To Charles Delafoy, Secretary to their Excellencies the Lord Justices of Great Britain, Whitehall.

The Catholics would appear to have got wind of the proceedings at the Irish Council, for a petition was at once drafted praying to be heard against the bill. The petition unfortunately is now lost but the covering letter of the secretary to the Irish Council, addressed to Delafaye, the English secretary, is among the correspondence at the London Record Office.

Dublin Castle 26 August 1719.

Sir—I enclose to you a copy of a petition which has been delivered to the Privy Council by Gerard Dillon and others praying to

be heard by counsel upon the Bill to prevent the Growth of Popery. That no such application may meet with encouragement on your side, I have to acquaint you that that Bill had its commencement in the House of Commons and was a long time depending there without any petition being offered against it; that it lay some time before the Privy Council before it was engrossed; that this petition was not prepared till the 22nd of August instant which was eight dayes after it was engrossed, upon which observations as well as that it was out of time made it to be rejected, and it seems to be calculated with no other view but to give delay to that Bill. E. WEBSTER.

The English Council ignored the recommendation of their Irish confreres but under what circumstances does not appear. Lecky, who relates the incident seems to suggest that the castration bill was abandoned through the good feeling or good sense of the English. An account in a tract printed in Paris in 1766 styled an *Essai sur l'Histoire d'Irlande* is less creditable. According to this the dropping of the bill was due to diplomatic pressure on the part of the French who were then in close alliance with the English. A memorial on the subject was drawn up by some representative Irishmen in France and presented to the Regent, the Duke of Orleans. The recently published correspondence of the all influential Dubois appears to confirm this, for it shows that from 1718 onwards there was a constant interchange of pourparlers between the ambassadors of the respective countries in behalf of the Irish and English Catholics on the one side and the Camisards and Cevennois on the other (*nn*).

The castration proposal marks the acutest stage of the persecution. But already even, saner counsels were beginning to make themselves heard. Synge, bishop of Raphoe, writes to Wake, archbishop of Canterbury, April 13th, 1715:

As long as such a number of Popish Preists are suffered to continue among the Irish there may indeed be very little prospect of doing any great good upon them. But let a way be found to remove their Preists and place a competent number of Protestant Teachers in their room and in twenty or thirty years the whole nation would be Protestants and past all danger of relapse again into Popery. And this I am of opinion may be done without any sanguinary law or anything which by an impartial man would be looked upon as persecution.

(*nn*) Le Regent, L'Abbe Dubois et Les Anglais—Tome III, pp. 444 seq.—Paris, 1899.

There are in this kingdom some few popish priests who pursuant to an Act of Parliament are registered and thereby have if not the protection yet at least the connivance of the Law and as these must one by one drop off in a few years by Death, so the hurt which they do cannot possibly be of any great extent or long continuance. But within these few years a vast number more (and many of them said to be Regulars) are come into all parts of the kingdom who if not arrested and a succession of them prevented will certainly defeat all endeavours that can be used in the conversion of the natives. For the doing of this wherefore besides the laws which we already have, I would propose one more to be made of which I would desire your Lordship to consider.

The [point] of it should be to this effect that the Grand Jury of every county should make presentments of every popish priest that is not registered who makes his abode anywhere within the said county, whose names should be all published and proclaimed in open court by the Cryer of every Assizes and Quarter Sessions. And if such preists do not within a certain time depart the kingdom every man who should apprehend any one of them and bring him before a Justice of the Peace should be entitled to a certain reward to be levied upon the Papists of the Barony where such preist had his ordinary abode, in like manner as is by the law already provided when a robbery is committed by any papist. And besides this that so much money should be raised upon the papists of the said Barony as might be sufficient to bear such preists charges in safe custody to be conducted to the water side and pay for his transportation. And if once the papists found the entertaining and sheltering of their preists to become thus chargeable to them (besides their maintenance while they continue amongst them) I doubt not but they would soon weary of them and be willing to embrace the Established Religion for which next to their own they seem to have the greatest inclination. ED. RAPOT.

Subsequently indeed there were occasional paroxysms. In 1733 for instance, a bill passed the Commons annulling all marriages celebrated by popish priests or friars. This attempt to bastardize an entire nation did not get beyond the Irish Council. But upon the whole a steady defervescence of bigotry is noticeable after 1720. It is significant however, that the most tolerant of viceroys down to Earl Fitzwilliam, had his own scheme for dealing with the priests—a scheme which was prevented from becoming law only by the fanaticism of the Irish Commons. Lord Chesterfield writing to his friend, Bishop Chenevix, of Waterford, 29th January, 1755, says:

I have carefully read over Lord Limerick's bill and approve of the principle. I had thought of such a one when I was in Ireland but soon found it would be impossible to carry it through the House of Commons in any decent shape; but should Lord Limerick think proper to push it this session I would recommend a few alterations: I would only require the priests to take the oath of allegiance simply, and not the subsequent oaths which in my opinion, no real papist can take; the consequence of which would be that the least conscientious priests would be registered and the most conscientious ones excluded. Besides that, where one oath will not bind, three will not; and the pope's dispensation from the oath of allegiance will not be more prevalent, nor more easily granted than his dispensation from that oath by which his own power is abjured. But then I would make that oath of allegiance more full and solemn, as for instance:

I, *A.B.*, duly considering the sacred nature of an oath and the horrible crime of perjury which by all the religions in the world is justly abhorred as a most damnable sin, do most sincerely promise and swear that I will be faithful and bear true allegiance to his Majesty King George the Second. So help me that great and eternal God who knows my inmost thoughts and whom I now most solemnly call upon to attest the truth of them.

The person taking this oath should be obliged to recite it distinctly and deliberately, and not be allowed to mutter it over in that indecent and slovenly manner in which oaths are generally taken. I will venture to add those who will not observe this oath taken in this manner, will still less observe any abjuration of the Pope's dispensing power, since such abjuration is by all Papists looked upon as a nullity.

I would also advise that all penalties of death which in these cases must end in impunity, should be changed into close imprisonment for a term of years or for life. Then there would be perhaps detections and prosecutions, but in case of death there will be none. For who will go and hang a poor devil only for being a regular, or an enthusiast? (*oo*).

The bill of Lord Limerick which Chesterfield suggested to have amended, was one of those introduced in the years 1755-8. The last attempt in the long series of repressive legislation may be set down at length. It throws a curious light on a period when toleration was supposed to prevail.

HEADS OF A BILL FOR THE REGISTRATION OF POPISH PRIESTS, ETC.

1. All popish priests now in this kingdom shall register themselves for their several parishes, with the particulars of their abode, age ordination etc. as contained in the Act 2 Anne, c. 7. The returns to be printed as before.

(*oo*) Miscellaneous Works, Vol. iv.

2. If the parish for which such popish priest is registered is of so great extent that one priest is not sufficient, one or more additional priests may be registered for said parish but the number of priests so added must not exceed 200 in the whole kingdom.
3. Any popish gentleman may retain as chaplain a popish secular priest, provided that the number so retained shall not exceed 50 in the whole kingdom.
4. All popish priests registered or to be registered pursuant to this act shall previously be approved of by the Lord Lieutenant and Privy Council of this kingdom and shall take the oath annexed. The said oath shall also be taken by gentlemen who retain popish chaplains.
5. All successors to the existing popish clergy shall subscribe the following declaration viz. :—I *A.B.* solemnly declare on the faith of a Christian and a priest that I am a secular priest and not a regular.
6. No benefit of registration shall extend to any popish priest who shall seduce any person professing the Protestant religion to forsake the same or who shall persuade any person to serve the Pretender or other foreign prince.
7. If any popish priest shall exercise his function outside the parish for which he is registered he shall forfeit the benefit of registration.
8. Registered priests shall be bound at each mass they celebrate to exhort their congregation in English or Irish to pray for King George and his successors by name, under pain of removal by the Lord Lieutenant.
9. If any priest secular or regular who has not been registered shall remain in this kingdom after the 1st day of January 1759 or shall come into it after that date he shall be liable to a penalty of one year's imprisonment after which he shall be transported beyond his Majesty's dominions whence he is not to return under the penalty of imprisonment for his natural life.
10. After 1st January 1759 any person who knowingly hears the mass of an unregistered priest or harbours him shall be liable to a fine of £100 payable to the person who prosecutes.
11. Any person who after 1 January 1759 gives such information of a popish unregistered priest secular or regular, that he be taken and convicted shall receive the sum of £100 to be levied on the popish inhabitants of the county city or town where such popish unregistered priest was taken.
12. This act is to come into force 1 January 1759 and to continue for seven years and the end of the Parliamentary session next following.

OATH.

I *A.B.* do promise and swear to bear true faith and allegiance to his Majesty King George the Second his heirs and successors according to the succession now limited by law, and that I will

reveal all whatsoever treasons, treasonable conspiracies or plots against his person, crown and dignity, shall come to my knowledge. I profess that I detest and abhor from my heart as impious, scandalous and abominable to believe that it is lawful to murder or destroy any person or persons whatsoever, for or under pretence of being heretics, also that vile and unchristian principle that no faith should be kept with heretics. I declare further that it is not an article of my faith that any person whatever has power to absolve me from the obligation of this oath or that the Pope has power to depose princes, and therefore I promise and swear that I will not teach, preach, hold, maintain or abet any such doctrine or tenets. And all this I promise and swear on the faith of a christian and a priest freely, readily and willingly in the plain and ordinary sense of the words now read unto me without any secret collusion, equivocation, evasion or mental reservation whatsoever. So help me God.

Stringent in all conscience though this bill was, it was too tolerant for the persecutors. It was scouted in the Lords by Primate Stone, the three archbishops and ten bishops, on the ground it gave a legal status to the priests in the country. On the 23rd December, 1757, Charles O'Connor of Ballinagare, writes to Dr. Curry:

Nothing is more certain than that the primate opposed that bill on the principle of persecution, that he represented it not as an indulgence only but as a toleration of popery by law, which he thought should never be admitted. I must confess that enemies are preferable to friends on the tolerating principles of the registry bill; but time and experience may correct the nistakes of the latter, the former can never be reformed (*pp*).

And this bill every clause of which was a fetter and every line an implied insult, a bill which would have subjected them to the *placet* of a government of furious bigots, even this would have been welcomed by the priests as some measure of relief. Verily the iron had entered into their souls (*qq*).

(*pp*) O'Connor's Irish Catholics, p. 245.

(*qq*) The bill was the result of an understanding between Lord Clanbrassil (formerly Lord Limerick) on the one hand and Lord Trimleston and some of the Catholic bishops, on the other. The Roman authorities came down upon the bishops for their miserable temporising. In a letter in my possession written by Dr. Kent, president of the Irish College, Louvain, 18th September, 1775, regarding the test oath of that year appears the following "It happened many years ago that the chiefs in Ulster, Lord Trimlestown at their head, formed a formulary to pray for kings and princes, with the same expectation of indulgence. Whereupon they of the City [Rome] took fire and gave them Blake for Primate. Daniel Reilly of Clogher who expected to become Archbishop of Dublin was frustrated of his hopes and (the affair) caused a flame that is not well quenched to this day."

CHAPTER V.

THE PRIEST CATCHERS.

SINCE the motive causes of the code were neither purely religious nor purely political, its results were similarly mixed. The laws that aimed at pauperising the Irish people were entirely effective. By the last quarter of the eighteenth century the Catholics were almost completely detatched from the land and trade of the country and reduced to mere occupiers, artisans, or day labourers. More calamitous even, and more permanent in their effects were the parts of the code which deprived them of the parliamentary and municipal franchises, which inflicted on them various civil disabilities and above all, which deprived them of education. Indeed it may be truly said that these laws have lasted even to our own day; for to them as to their source may be traced some of the worst defects in the national character. The absence of public spirit as distinct from mere class interest, the tendency to factionism, the inability to rise above party, the blind following of men rather than principles—all this is symptomatic of a people who have only recently entered upon citizenship and have not fully realised its responsibilities. But the wounds inflicted by the code went deeper still. They were not merely civil but personal. The poet writes:

What wonder if our step betrays
The free man born in penal days!

It is hardly an exaggeration to say that most Irishmen are still haunted by a sub-conscious feeling of inferiority social or even intellectual. They have many virtues but amongst them can hardly be reckoned personal dignity, mental independence, and self restraint. They shrink from initiative and are impressionable to a degree. Their subtlety, their indirectness of expression, their want of candour has often been remarked. They rejoice at recognition and welcome patronage, yet on the other hand their intemperateness of language and feeling often alienate those whose good will they would fain conciliate. In short the habits of slavery

induced by the penal code have deprived us as a people of that sturdy individualism which respects oneself and respects others, and which is as widely removed from insolence as it is from servility.

While the code in so far as it was meant to pauperise and degrade was completely successful, it was a signal failure in its main purpose of Protestantising the mass of the people. Nay even it had the very opposite effect; for whilst in the sixteenth century they, clergy as well as laity, gave evidence of the wavering convictions of the period, in the nineteenth they had become the most staunch Catholics in northern Europe. How this result was brought about is beside our purpose to discuss. The last chapter shows that it was through no want of repressive legislation nor of malignant activity. It is well therefore to take a closer view of the machinery provided and its application to the actual condition of the country.

It will be remembered that the Act of 1709 compelled all priests in the country to take the oath of abjuration under the penalty of transportation and of high treason if they returned after having been transported. As only some thirty-three conformed, the whole body after 25th March, 1710, became outlaws. Forthwith they put themselves upon the people. They hid in lanes and garretts or in moors and mountains; and protected and sheltered by the whole population they bade defiance to the law. Though rewards were offered of sums which in those days would be wealth untold to the wretched peasantry, no one would take the bribe. Accordingly the following method was adopted:

8 ANNE, C. 3, S. 21.

It shall be lawful for any two justices of the peace whereof one to be of the quorum, by warrants directed to any constable to summons any popish person of the age of sixteen years or upwards to appear before such justices at a certain time and place in the warrants to be expressed, within three days after the date of the said warrants so that the said place of appearance be not above five miles from the habitation of the said person; and if the person so summoned shall neglect to appear accordingly, or appearing shall refuse to give his testimony upon oath where and when he heard, or was present at the celebration of the popish mass as the same is used in the church of Rome, and

who celebrated the same and who were present at the celebration thereof, and likewise touching the residence and abode of any popish regular clergyman or any such popish secular priest as aforesaid who may be disguised, concealed or itinerant in the country, and also fully answer to all such circumstances and things touching such popish persons offending contrary to this and the former act to prevent the further growth of popery.

Such persons so refusing or neglecting to appear or to answer shall be committed by the said justices to the common gaol for twelve months unless he or she shall pay down a sum not exceeding twenty pounds to be paid to the minister, church wardens and overseers of the poor of the parish where such offender shall reside.

Provided that every examination to be given in pursuance of this act shall be for such of the said offences only as were committed within thirty days before such examination, and that no such examination shall subject the party examined to any prosecution, penalty or forfeiture, or be admitted to be given in evidence against the person so examined unless such person shall be indicted for having committed wilful perjury in such examination, and the person so examined and confessing is discharged from any prosecution or penalties or forfeitures by him incurred by reason of any offence so confessed as aforesaid.

A few instances of the working of this section may be given. In 1714 the magistrates of Cashel certified to John White, High Sheriff of Tipperary.

We certify that pursuant to an Act of Parliament made in the 8th year of Queen Ann we summoned severall of the most considerable Papists in this town who upon their oath declared they had not heard mass celebrated in or near this town at any time within the space of thirty days past. And we do further certify that all suspected places in this town were searched and no arms found in any of them. All which we certify under our hands this tenth day of July 1714.

RICH LOCKWOOD, MICHAEL HICKEY.

COM. DUBLIN FF.

John Sweetman of the Red Houses of Baldoyle in said county farmer being duly sworn on the Holy Evangelists and Examined. Saith that the last time he heard mass was on Sunday next sevennight. That the said Mass was said and celebrated by one Father Tracie a Popish Priest in the town of Hoath. He knoweth not the said Priest's Christian name. Saith that James Comon, Christopher Higley, Toby Tallant, Patrick Carr all of Hoath were at the celebration or saying of the said Mass. That the place of the said Tracie's Residence is usually att or neare the

town of Baldoyle. And that he doth not know of any Romish Bishop or Regular cleargy man of the Popish religion in this kingdom. Saith that there was one Christopher Meldon lately taught school in the Town of Baldoyle, that the said Meldon is now in Confinement at Kilmainham and that he knows of no other person that taught school within the said county.

JOHES SWEETMAN [bound to appear in the sum of] £40
17 June 1714

DANIEL WYBRANTS.
THOMAS STEPNEY.
FFOLIOT SHERIGLEY.
JOHN JACKSON.

The Examinacon of Thomas Power of Twocarny in the Barony of Tyreawly and County of Mayo taken before Robert Blackny Esq. mayor of the town and county of the town of Gallway and Mark Wall Esq. Deputy Recorder the 25th day of June 1715.

The said Examinat saith that he is a dealer that lives in the county of Mayo and being examined whether he was a clergy man of the Church of Rome would not answer whether he was or not. Saith he came to Gallway two days agoe expecting to meet one Madden of the Barony of Longford in the County of Gallway and was resolved to go to the said Madden's house when he could not meet him here; and being further examined what manner of dealing he had or followed in the County of Mayo to which he answered that he kept a plow going and being examined if he knew any of the Protestant gentlemen in the said Barrony of Tyreawly the said Examinat made answer that he knew John Ormsby Esq. of Cloghans in the said County of Mayo and James Oram another gentleman of that Barrony and the said Examinat being further desired to answer directly whether he was a clergy man of the church of Rome or not would make no other answer than that the Mayor was pleased to say soe.

ROBERT BLACKNY, mayor.
THOMAS POORE. MARK WALL, Dep. Rec.

From reports such as these it will be seen that the inquisitions held under the act were not futile. Doubtless the zeal of the magistrates varied with the locality and the status of the ecclesiastics. Friars and priests exercising jurisdiction were pursued with with relentless activity, and more than once the few bishops who had the hardihood to remain in the country took shelter in Dublin (*rr*). Apart from religious and political fanaticism, the rewards offered by the law and often increased by special proclamation, gave a great stimulus to the pursuit.

(*rr*) "On the 28 February 1743 a proclamation was issued . . . . . all the bishops and priests fled to Dublin because in so large a city it was easier to lie concealed than in the country'—Hibernia Dominicana, pp. 175, 717.

8 ANN, C. 3, S. 20.

If any person shall discover any bishop, vicar general, dean, jesuit, monk, friar or any other regular, or any papist exercising any ecclesiastical jurisdiction or any secular popish clergyman who hath not been legally registered so that the said regular or secular clergyman be apprehended and convicted, every person making such discovery shall receive as a reward for the same the several sums following that is to say, fifty pounds for every archbishop, bishop, vicar generall, or other person exercising any foreign ecclesiastical jurisdiction in this kingdom and twenty pounds for each regular clergyman and each secular clergyman not registered pursuant to the said former act, to be levied on the popish inhabitants of the county or town where such regular or secular popish clergyman did respectively exercise such foreign jurisdiction or officiate as a popish priest or did more commonly reside and shall be convicted thereof as aforesaid, to be levied in such manner and on such persons as money for robberies by a late act against tories, robbers and rapparees is to be levied.

The multitudinous correspondence on this part of the subject may be illustrated by a few characteristic documents.

To their Excellencies the Lords Justices of Ireland.

The humble petition of Samuel Munsell High Sheriff of the County of Limerick.

Sheweth—That your Petitioner brought up to this City three convict priests and one felon who were under rule of Transportation, in order to be transported.

That your Petitioner delivered three of the said persons to the Court of King's Bench the other being a priest and not able to come upp was left behind being above eighty years of age which appeareth by severall affidavits.

That your Petitioner was at great charge at having horses for the said persons to ride on and severall Protestants to guard them being apprehensive of their being rescued, there being severall Popish Tories out in Arms in the severall counties through which they were to pass.

May it please your Excellencies to grant such reward etc.

The humble petition of William Montgomery etc.

Sheweth—That at the Assizes for the County of Antrim held on the 28th day of March 1716. John McDonald a popish priest not registered was tried and found guilty for exercising the function of a popish priest and not being registered, at your Petitioner's prosecution.

That your Petitioner was at great trouble and expense in apprehending and prosecuting the said McDonald.

He therefore prays for a grant of the reward set forth in the proclamation.

Enclosed is certificate of the Clerk of the Crown.
[Endorsed] Proclamation dated 25 November 1704 gives £30 reward.

To his Excellency the Earl of Pembroke Lord Lieutenant etc.
The Humble petition of Richard Pue.
Humbly Sheweth—That there is one Robert Robison (alias Brady) a Native of Ireland born but long resident in ffrance, a ffranciscan frier but now in Ireland under the Notion (sic) of a Protestant but at the same time exercises the Romish religion celebrating mass and confessing in Dublin. He now teacheth a public school of Latin, Greek, Logick and Philosophy and is guilty of dangerous practises. He has been impeached by some worthy gentlemen but by his Jesawiticall policy Baffles his accusers. There is one Mr. James Harper a Protestant living at Dicks Coffee house in Skinners row that is intimately conversant with the said friar and is said to be privy to his dangerous interagues [intrigues] of which the Petitioner is advised to acquaint your Excellency fearing ill consequences from such persons and actings.
The Petitioner humbly prays your Excellency to examine the said Mr. Harper and Enquire into the matter as in your great wisdom shall think fitt.
[Endorsed] To be sent to the Attorney Generall or Solicitor.

Enclosed is a note.

The Petitioner desires not to be exposed unless Mr. Harper deny his knowledge of said person and his actions. Your Petitioner being in the nature of a servant to the Honourable House of Commons urged Mr. Harper to apply to the house which he promised but did not.

To his Grace the Duke of Bolton Lord Lieutenant General etc.
The Humble petition of Samuel Porter of Inishannon in the County of Corke.
Sheweth That your petitioner for severall years past showed most sincere zeale and affection for his Majestie King George's service and the Protestant interest by his diligence in apprehending and prosecuting many of the regular and secular popish Clergy who have presumed to come from foreign Nations into the severall parts of the kingdom.
That he performed severall orders and directions from the Justices of the Peace of Corke to the hazard of his life and at great expense with men, horses and arms assisting him. That he was the principal person constantly assisting the late High Sheriff's party in taking and securing the state prisoners. That at the last assizes held for the said county the 6th of August last your petitioner appeared at the perill of his life and brought to justice two popish priests videlicet Charles Carthey and Teige Mahoney

for saying mass not registered who obstinately refused to take the oath as likewise Owen Carthy a popish school master as by the annexed Certificate [appears] and were convicted before the Right Hon. the Lord Chief Justice Foster. That your petitioner from his fatigue and rideing in executing said order has laboured under a heavy fitt of sickness to the detriment of his fortune having twelve children and an aged father to maintain. That your Petitioner hopes to bring several [priests] to justice they being very numerous and dayly flocking into the kingdom and severall of them by messadges and letters have made your petitioner large offers and a yearly sallery and retain for him the good will of their assemblyes but your petitioner has an abhorrence to them and does wholly rely on your Grace and Lordships countenance. That popish persons have spirited and trained upp their mobbs in a most violent manner to take your Petitioner's life. S. PORTER.

[Endorsed] Received 8 October 1717.

Though the foregoing is in many parts obviously knavish yet the hunting of priests in the County Cork was often dangerous work. On the 10th December, 1707, the Lord Lieutenant and Council issued a proclamation setting forth that Richard Huddy of Ballynoe, gentleman, arrested William Hennessy, one of the regular popish clergy; that in consequence the previous October his house and goods were burnt. Their Lordships offer a reward of £20 and a full pardon of all crimes, murder excepted, to such as will give information that will lead to the capture and conviction of the incendiaries.

In the quest after the priests, the magistrates were actively seconded by the Protestant clergy.

Limerick August 15 1714.

Sir. Though this is a very improper time to trouble you about business of small concern yet having been imployed by the Lords Justices to enquire after the persons mentioned in the letter written by Daniel Falvey to David Fitz Gerald I send you the following account viz. That Daniel Falvey is a Franciscan Fryar formerly belonging to the abby of Irelogh [now Muckross] neer Kilarny in the county of Kerry, is a middle aged man, and lives now with Dennis Mahoney at Drommore in the Barony of Glanerogh in the County of Kerry. That Florence McCarthy formerly guardian of the said abby is a very old man and living now at the five mile bridge within five miles of Kilarny on the road to Macroom and that David Fitz Gerald was formerly a Friar in the abby of Askeaton in the County of Limerick but he removed out of that county into the County of Clare but

where he lives in that County I cannot learn. This is all the information that can be given you relating to that affair by, Sir,

To Joshua Dawson Esq. Your very humble servant
at the Castle Dublin. THO. LIMERICK.

From the exact particulars it is evident that his lordship was well served by some spy or other. His brother of Tuam had the imprudence of disclosing his informer to the authorities.

May it please your Grace

Since your departure I made it my business pursuant to your Order to inform myself of what your Grace left in charge with me and give you a speedy account which is as followeth. It is Certain that James Lynch Titular Arch-Bishop of Tuam is landed in this kingdom this last month and is sulking somewhere in this province but where he keeps, the priest that told me was not forward to tell neither did I think it convenient to be of a sudden too curious or pressing to know the place of his abode which may in time be leasurely discovered. As to the rest of the chief popish missionaries I can positively tell your Grace by no worse authors then their own Clergie they are Dr. Dermot, in Irish Mac Diermud, Titular Bishop of Elphin residing in the County of Roscommon and commonly about Clonmacnose where he generally and constantly ordains priests, some when found capable [were] actually to succeed in the mission in this kingdom, others to be sent into seminaries abroad, in France etc. The next is Timothy Ruork formerly a Franciscan friar of the Convent of Milick near Banahir in the County of Gallway now Titular Bishop of Killalagh and goeing under the name of Mr. Fielding. His chief residence when he travells to the Counties of Mayo and Slygo to officiate in these parts is at Counsellor Terence McDonogh whose wife is this gentleman's relative, but he is very zealous to keep about the Convent of Milick as much as possible where he generally ordains priests. One of his constant stages when travelling from Milick to the County of Mayo is at Mr. Francis Burke vicar generall of the Diocese of Tuam at Knockaneataguill near Tuam. This Mr. Burke since the Act of Parliament goes under the name of Mr. Staunton and his Colleague Mr. Dominick Lynch under the name of Mr. Deane. Since the death of Dr. Donelaine late Titular Bishop of Cluonfort, Mr. Francis Burke and Doctor Ambrose Maddin vicar generall of all of the diocese of Cluonfort parish priest of Loghreagh were competitors each making interest in Rome for the Bishoprick of Cluonfort but Doctor Maddin about December last received his pattents, or as they call them, the pope's Bulls and was by the two former Titular Bishops of Elfin and Killalagh some time before last Christmas at Melick consecrated Titular Bishop of Cluonfort. The same person assured me that Peter Creagh

Titular Arch Bishop of Dublin who was resident in my own time at Strasbourg for Cardinal Fastainberg, is dead and that Dr. Burn of ffrancis street in Dublin succeeded him and is now consecrated Titular Arch Bishop of Dublin. This is the account that from time to time I had from men of note among them of the changes and succession of their Bishops particularly in this province.

As to their inferior clergy there are some who in contempt of the law by the order of their superiors to supply the missions, do succeed registered priests deceased and officiate though they be not registered. Others [are] translated from place to place as it seems to the Superiors convenient, others, and these esteemed the most useful missioners in the Church of Rome who do not take uppon them the care of souls but are employed in teaching and catechizing generally in publick or private gentlemens houses as also in preaching. Of all the sorts, I know some in this county and particulars I shall be ready to send when your Grace commands me.

I have been from time to time in company with some of their Cleargie in and about this time since Eaver, as they call him, and the houghers of cattle began their wicked designs and far be it from me to asperse anybody, it's with God's assistance what I shall never be guilty of. I do assure your Grace as many of the priests as I discoursed of Eaver and houghers and whom I on sett purpose entertained Christmas last to know from themselves as well what Bishops etc. they have as how they stood affected or disaffected to the practice of houghing. I could never observe by their speech or behaviour that they disliked or disapproved the practice. I could never hear that any one among them made as much as an exhortation against it but on the contrary if we may judge of the inclination of all by the conduct of some (doubtless countenanced by others of higher power) your Grace with all reason will judge that they are deeply concerned in promoting this wicked design. One father Phillip Higgin who as I am credibly informed is an Augustinian frier and generally keeps in and about this town and registered as a priest in the County of Roscommon on Sunday the 3rd of last February at his publick mass in Killmore openly prayed for Eaver and his friends good success. On Tuesday the 14th of last February Mr. George Millar and I happened in company in this town with Captain Thomas Burke of Corofin, Doctor Lynch and father patrick Birn and we had some discourse about Eaver whereupon Captain Burke and Doctor Lynch told us that father Edmund Burke parish priest of Commor and Bellelasetuam the week before had a letter from Eaver and on Sunday the 10th preached to his congregation exhorting the rich and stock masters to reduce their flocks and set the lands to the poor people. Captain Burke and Doctor Lynch affirm they never heard him preach

soe good a sermon in his life tyme before. Upon which father patrick replyed that for £100 he would not be guilty of the like action against the government, against the law and against conscience. If the priest had not by his passion interrupted the discourse we would certainly know more of the matter. Whether the priest did it as a politian (sic) to prevent our hearing further of the matter or whether it was his aversion of the doctrine I cannot judge. If the papists of this county should know me to be the author of this account to your Grace, Eaver and his party and many other loose and wicked men would seek my life. I shall be ready to observe your Grace's commands were it to sacrifice my life for the preservation both of church and government. Your most dutifull and obedient servant,

Tuam March 3 1712-3. GEO. FOSTER.

[Endorsed] To his Grace John Ld. Archbishop of Tuam in Dublin.

"Eaver" was the "Captain Moonlight" of the period; the priests being credited with inciting and abetting the agrarian outrages were pursued with special fury in the disturbed counties.

Primate Boulter also had his intelligencers set, but they often played upon his bigoted credulity. They persuaded him that the fasting and praying of the Jubilee of 1726 had a sinister object, and scared his mental vision with the spectacle of "3,000 popish priests of all sorts" in the kingdom. They were duly rewarded. For instance in April, 1726, he writes to Lord Cartaret:

The bearer is wife to Mr. Cassell: he is the person who gave from time to time the best accounts of the popish priests and what was doing amongst that party. He tells me his wife will have occasion to wait on your Excellency to sollicit an affair of his and desired I would give her a few lines to introduce her. I hope your Lordship will be so good as to excuse this trouble since it was a favour I could not well deny him.

Priest setting was a lucrative employment but it was peculiarly personal, Cassell, as we learn from a subsequent letter, was in failing health and he wanted a pension for his wife.

Amid however the annals of rascality two classes stand out in evil distinction. These were unfrocked priests and professional spies. While the priests who were faithful to their creed and calling were pursued with every penalty of the law, even death itself, the wretched man who was cast out from his fellows as a reproach and a by-word was cherished and supported—at the charge too of the people he had scandalized.

2 ANN, C. 7, S. 3.

Every popish priest being approved of as a convert and received into the church by the archbishop or bishop of the diocese wherein they resided and conforming himself to the church of Ireland as by law established and having taken the oaths and subscribed the declarations in such manner as the conformable clergy of the said church are obliged to do, such converted priests shall have twenty pounds yearly during their residence in such county for their maintenance and till they are otherwise provided for subject nevertheless to suspension or deprivation of the archbishop or bishop of the diocese wherein they reside in like manner as the rest of the clergy of this kingdom, the said sum to be levied on the inhabitants of such county or town where such converted priests did last officiate or reside as money is levied that is charged by grand juries and to be paid them by equal moieties at the feast of the Annunciation and at the feast of St. Michael.

And such converts shall publickly read the liturgy of the church of Ireland in the English or Irish tongue in such places and at such times as the said archbishops or bishops shall appoint.

The salary was by a subsequent act, 8 Anne, c. 3, increased to £40—about ten times its present value—and so enamoured was parliament of this piece of legislation that the 19 and 20 Geo. III, c. 39, which repealed some of the worst articles of the code, re-enacted.

From and after 24th June 1780 every popish priest who hath heretofore conformed to the protestant religion or who shall conform and be approved as a convert and received into the church by the archbishop or bishop of the diocese wherein he resided and officiated as a Romish priest and who shall have taken the oaths and subscribed the declarations at any quarter sessions shall have as maintenance £40 yearly to be paid by the treasurer of the county wherein he officiated as a popish priest until he shall be provided for by some ecclesiastical benefice or licensed curacy of the same or greater value, provided that such convert priest shall publickly read once a week the common prayer or liturgy of the church of Ireland and preach in the English tongue in such places and at such times as the archbishop or bishop of the diocese shall direct. Said £40 to be levied off the inhabitants of the county or town wherein such priest resided or officiated before conformity.

Some of the worst outbreaks of persecution were traceable to the splenetic vindictiveness of degraded priests. On 7th November, 1741, Primate McMahon wrote "from his hiding place" to Propaganda that the greatest caution had to be taken in the appointment to parishes, that shortly before he had to fly from his usual

shelter for "four magistrates armed with warrants were in search for me, instigated by an unworthy person to whom I had refused a parish." The Rev. John Hennessy, ex-parish priest of Doneraile in the County of Cork, by a story of colossal amplitude kindled the whole ascendancy regime into fury. Appearing before Lord Doneraile and John Love, the revenue collector of Mallow, 3rd January, 1732, he swore the following information:

In the month of August or September 1729 he, this informant, was in company with Connor Keeffe, popish bishop of Limerick, Francis Lloyd, popish bishop of Killaloe, and Dr. Stones a Franciscan friar of the city of Dublin at the house of Teigue MacCarthy, popish bishop of Cork and Cloyne when the said Keeffe and Lloyd delivered a letter to the said MacCarthy from Christopher Butler, popish archbishop of Cashel, acquainting him that he had received a letter from the pope's internuncio at Brussels; that the pope had complied with the request of the archbishops and bishops of Ireland and that his holiness had sent him an indulgence for ten years in order to raise a sum of money to be speedily applied to restore King James III. to his right and put their present majesties and all the royal family to the sword.

Soon after, this informant received a letter and a copy of the pope's bull from his said bishop with directions strictly to obey the same the purport of which is as follows—"That every communicant duly confessing and receiving upon the patron days of every respective parish and any Sunday from the 1st of May to September, having repeated the Lord's prayer five times and the Creed once, and paying two pence each time, was to have a plenary indulgence for his sins; all approved confessors had full power to absolve in all cases; with intent that God would speedily place King James III. on the throne of England." That the money so raised from every parish, together with £5 from every parish priest was to be paid to the bishop of each diocese; who swore said priests to a true account of what money they collected by virtue of the said bull.

As it happened the papers of a Cork solicitor named Nagle, seized at the same time, gave evidence of a collection made to oppose certain anti-Catholic legislation proposed in Parliament. This was regarded as fully corroborative of the priest's story. A committee of the House of Commons was appointed to examine into the affair, and they reported *inter alia*.

Timothy McCarthy, Timothy O'Brien and Richard Walsh have taken upon them to exercise in the county of Cork a popish

ecclesiastical jurisdiction ; and we have great reason to believe from Hennessy's examination the same is practiced in every other part of Munster in defiance of the laws of the land and to the great hazard of the peace of this kingdom.

The Commons therefore

Resolved that it appears that under colour of opposing heads of bills brought into parliament great sums of money have been collected and raised and a fund established highly detrimental to the protestant interest of this kingdom and of imminent danger to the present happy establishment.

Resolved that there is a popish ecclesiastical jurisdiction exercised in this kingdom by popish archbishops, bishops and vicars general in open violation of the laws of the land.

Resolved that an humble address be presented to his grace the lord lieutenant, to issue his proclamation to all magistrates to put the laws against popery in execution.

His Grace accordingly in 1733 issued a new proclamation, and parliament set to work afresh on bills to prevent the further growth of popery.

In the descending scale we come now to the professional priest-catcher. Country gentlemen except when labouring under great political excitement or when religious bigotry obscured their judgment, however desirous they might be to rid the country of priests, were reluctant to harass their Catholic neighbours by inquisitions under the Act, 8 Anne. Hence the discovering and prosecuting of priests was carried on in large part by men who travelled the country for that purpose and were hired by the grand juries or the Dublin executive. Pursued by the execrations of the people, traditions of these men still live, and there are few localities that do not preserve the memory of some *Shawn na Thaggart.* In his "Diocese of Meath" Father Cogan tells many stories of the Pilots, Barkers, and others. The historian of Limerick relates how when a notorious priest catcher was buried, his neighbours had cut on the back of his tombstone—

God is pleased when man doth cease to sin
The devil is pleased when he a soul doth win
Mankind are pleased whene'er a villain dies
Now all are pleased for here Jack Cusack lies.

The priest catcher added a new terror to the code. Dr. Hugh MacMahon for a long time one of the two bishops in the north,

gives in a letter to Propaganda a graphic picture of the situation created.

> When our priests were confronted with greater dangers and were mercilessly pursued by government, some in order to prevent being identified by any in the congregation celebrated mass with veiled faces, others again shut themselves into a closet with the mass server alone and apertures were made or a small hole by means of which the people outside could hear the voice of the celebrant but could not recognise it, or at all events could not see him. And the mercy of God was only manifested the more, for as the persecution increased the fervour of the people increased also. Not uncommonly one would come across men and women with their hands joined in prayer—having got the signal that mass was begun—and thus they united themselves in spirit with those who afar off were praying on bended knees although they could not see the priest. It often happened to myself when saying mass by night that not a soul was present except the man of the house and his wife—not even the children, for they could not be trusted with the secret. There was a penalty of £30 and a year's imprisonment on any who permitted mass to be said in his house or anywhere on his premises (*ss*).

A few of the priest catchers carried on their operations under the patronage and direction of the Privy Council itself. To this circumstance we are indebted for instructive details which are not obtainable of the class generally. One of the most remarkable was Garcia, said by some to be a Spaniard by others a Portuguese Jew. Arriving in Dublin early in 1717 he, by his acquaintance with Catholic ritual abroad, easily found means of ingratiating himself with the clergy there, and actually passed for a priest with the archbishop himself. Owing to the fierce persecution, the status of the archbishop was disclosed to as few as possible, and apparently Garcia did not learn it. However this may be, when the haul was made Dr. Byrne escaped. But the capture included the provincial of the Dominicans, two Jesuits, one Franciscan, and three secular priests. Having given this proof of his zeal for the Protestant interest, the Dublin Grand Jury made him a special grant of £100 and the executive assigned him apartments in the Castle. From there he addressed a series of petitions curiously interesting as a study in religious rascality. Being now an approved Protestant he first made application to Wake, archbishop of

(*ss*) Spicilegium Ossoriense II, 973.

Canterbury. Synge of Tuam being consulted wrote 6th March, 1720, to his Grace:

Upon the receipt of your Graces letter I sent for Garcia and told him what your Grace was pleased to direct me. The man was a Romish priest either in Spain or Portugal (I do not well remember which) from whence he made his escape for fear of the Inquisition, having (as it is said) been known to speak with some freedom concerning some points of the Romish faith. It is above two years since he came by way of England—as I have been told—into this kingdom where for above half a year he continued to act as a priest until being further convinced he wholly renounced the Church of Rome, and for some service which he has done in discovering divers of the Romish clergy who were convicted upon his evidence, he has received some reward from the Government with liberty to lodge in the Castle of Dublin to protect him from the Insults of the Papists.

Wake somehow was not quite assured of his petitioner, Garcia therefore had to fall back upon his former patrons.

To their Excellencies the Lords Justices and the Lords of his Majesty's Privy Council.

The humble Petition of John Garcia a converted popish priest.

Sheweth That your Petitioner was a popish priest and that he made his publicke recantation in the church of Ireland and took the oaths in the King's Bench about three years ago.

That the Irish papists did severall times endeavour to destroy your Petitioner by secret practices and open violence so that your Petitioner is in perfect fear of his life Seeing himself abused and sometimes assaulted in the streets by papists or persons disaffected to his Majesty.

That your said Petitioner knows no other reason of his being so abused but because he is become a Protestant and has informed against and has convicted by due course of law six Irish popish priests and three nuns. That the popish clergy being incensed against your Petitioner for doing the duty of a true Protestant and faithfull subject did write to Spaine against him and have been the occasion of your Petitioner's mother and relatives having suffered persecution and that his own picture was burnt by sentence of the Inquisition who would burn him alsoe if he should fall into their unmercifull hands. So that your Petitioner is deprived of the yearly assistance he received from his said mother.

That his Grace the Duke of Bolton being sensible of the good services done by your Petitioner to the Government and the Protestant religion in discovering and prosecuting the enemies of both at a very criticall juncture, did promise to settle on your Petitioner a pension of £50 per annum for his and his family

subsistence and your Petitioner hopes that his Excellency my Lord Chancellor will remember the truth of this last allegation. That the said pension was not settled on your Petitioner who is actually in greate want and poverty with his wife and two children, and in danger of being arrested by those he was forced to borrow from to prevent starving. J. GARCIA.
[Endorsed] That petition be referred to a Committee of the whole Board to report 1 July 1720.

The Board was not very impressed, for a miserable £15 was granted and not a word of the promised pension. On the 11th October following he had therefore to refresh their memories by going over the whole ground again, adding the touching particular:

He is assaulted in the Castle and the streets by which reason your Petitioner has lost the libertie of walking the streets both sundays and week days and is forced to keep his room like a prisoner for the occasion of his great persecution.

A committee consisting of Synge, Protestant archbishop of Tuam, Evans, bishop of Meath, Benjamin Parry and James Tynte was appointed to consider the petition; they reported 19th October that they examined Garcia on oath and found that he became a Protestant in November, 1717. In or about the year 1718 he received from the Lords Justices the sum of £10. In the same year he received from the Privy Council £50. In or about 1719 he received from the Lord Lieutenant £20, and from the Lords Justices £30. In or about 1720 he received from the Lords Justices £15. Total £125.

The Grand Jury of the City of Dublin presented a sum of £100 for the services he had done but he knows not, he says, how much he got having paid a good part in fees and interest on money he had borrowed. But he hardly thinks £80 came to him. The Committee recommended him for relief and so we hear no more of him until the following year. On 4th May, 1721:

Your Excellency and Lordships may see that if he troubles with frequent petitions it is not bicause he is greedy or extravagent in his expenses but bicause he is really poor and unfortunate. It is more than three years since it pleased God to call your Petitioner into the Kingdom of Light. He is become the object of the rage and hatred of all papists as also of many who call themselves Protestants. He is forced to keep his chamber and never go out of the Castle except Sundays that he repair to church.

That perpetual confinement and the want of necessaryes for life destroys his health. His mother being informed of your Petitioner's conversion by means of the Irish papists that live in Cadiz, is so far from helping him that she would joyn with the Inquisition to burn him alive and in so doing she would believe to do God service. Your Petitioner avers that most of the money he has received has been laid out in repairing and furnishing his room and in the paying of charges of two fitts of sickness. When the late Lord Lieutenant came last, your Petitioner was putt in a garrett that had been till then a passage only, he was forced to make severall partitions at his own cost, he is actually without bread for himself and his poor family and is but just risen out of a purple feavor. J. GARCIA.

This produced the desired effect but the following year, 1722, he was again battering the Lords Justices. On 19th March he pleaded that the long promised pension might be granted him or if not that he might be presented to a church living. Later in the year he made a renewed attack and the Lords Justices forwarded his memoir to the Duke of Bolton, Lord Lieutenant, then in England. Bolton replied on the 27th November that he would recommend the case to Lord Carteret, the Secretary. By this time everyone was tired of the wretched beggar. His last petition to be found in the Irish papers is dated 15th February, 1723, when he asks for money to take him to London. It was gladly given, for some time before the Lords Justices "had recommended him to be one of the missionaries to be sent to Minorca." Whether he ever went to Minorca is more than doubtful.

But Garcia was integrity itself compared to Tyrrell. Of this egregious blackguard it may be said that a study of his career helps one better to realise the penal times than any number of official reports or reasoned documents. That he should be taken up by chief governors and Protestant bishops—entrusted with confidential missions—provided with escorts—armed with mandates to magistrates—welcomed in fine and accredited as a deliverer of Protestantism is crucial if melancholy evidence of the blind, insensate passions of the time. It would seem that in the campaign against the priests there were no methods too vile, no instruments too foul. Edward Tyrrell belonged to the *déclassé* gentry, and to judge from his letters received a fair education. It served him however to little purpose, for our first acquaintance with him is

in a letter of his father-in-law Roderick O'Flaherty of Park, Co. Galway, to Samuel Molyneux. In this which is dated August, 1708, the distressed condition of Tyrrell is set forth and Molyneux is asked to use his influence to obtain for him "the place of a boatman in her Majesty's boat in Gallway," the necessary qualification being added that Tyrrell was a Protestant. Failing to obtain the tide-waitership we find him a year and-a-half later entitling himself to public employment by disclosing to their lordships of the Privy Council a fearsome story of Romish conspiracy. The matter was considered of such urgency that he was sent over to London. Not content with exploiting the government at home he utilizcd all friends of the happy constitution on the way. Some papers in the London Record Office enable us to trace the proceedings. Arriving in Chester 5th January, 1710, he acquainted Governor Brook of important matters he had to reveal to government. Brook referred him to Comberback, the City Recorder, who furnished him with a letter of introduction to Lord Cholmondeley in London. We next hear of him in Coventry, where he penned the characteristic epistle:

Honoured Sir—Though a stranger I made bould to trust you with those following lines. That I have left Dublin the 4th of this instant in Womens aparell and was driven in to Blew Morris [Beaumaris] in Wales. That I have come out of Ireland in order to make a full discovery to the Queen and Parliament of Great Britain in Relation of a Private Rebellion Intended and upon footing now in our kingdom and a great number of disaffected persons to our Government hath lately landed in the Remoat parts of our kingdom. They are harboured and entertained and supported by men of very great Interest and Quality in our Country prodestands as well as papists. Sir, this is nothing of what service I can doe to our Queen and Government when I wend to London.

I desire the favour of you as you are a Member of Parliament for this town where I now am at present that you may please to order the Mayor of this city to manage some way to send me safe to St. James or else to your lodgings in London. Sir without your directions I dare not travell further than this citty of Coventry. I fear there is some evil design intended against me upon the Road. Leaving you the great manadgement and direction in this present affair. I rest your Honors humble servant. EDWARD TYRRELL.

Your answer by the next post I will expect. You may please direct yours for me at the Signe of the Coach and horses in Coventry. Dated the 14th of January 1709-10.
To Edward Hopkins, Esq. Member of Parliament at his lodgings in London. In haste.

Hopkins at once sent this letter to the proper quarter and the saviour of his country was safely transmitted to London. Here Secretary Boyle instructed him to draw up a memoir to be laid before the Queen in Council. Tyrrell replies on January 25th that he has drawn up the memoir but adds

I am ready to attend your Honor as soon as you shall think fitt though not in a condition, for want of cloathes and humbly beggs your Honor to grant me some present reliefe in order to cover my nakedness.

The next day he forwarded the memoir with the rest of the papers to be laid before the Queen and Council. He has framed it, he writes, in accordance with Mr. Atkinson's directions, and concludes by begging Secretary Boyle "a smile of his favours." The English Council however, who had covered the continent with a network of spies, appraised Tyrrell's information at its true value, and so, for six weeks we hear no more of him. By that time he had to give particulars of the personnel of the conspiracy.

THE INFORMATION OF EDWARD TYRRELL OF DUBLIN ESQ.

He knows Edmund Kennedy the Son of Sir Richard Kennedy late of the County of Dublin, baronet. The said Edmund Kennedy goes under the name of Joseph Reeves. He is a frier of the Order of St. Francis and titular Bishop of Dublin. The said Edmund goes disguised in a lay habit with a sword by his side and daily frequents various public places. This Informant saw the said Kennedy in Ireland in July last disguised as one Jones amongst the Romish clergy. March 21, 1710.

The English Council remonstrated with the Irish Lords Justices for permitting priests to remain in the country and swagger about public places wearing swords. Having no further use of Tyrrell they sent him back to Ireland, doubtless with ample rewards. His next public appearance was when four months later he was convicted at the Queen's Bench in Dublin of bigamy. Yet, will it be believed that before the end of the year we find this convicted felon in the pay of the Privy Council and on intimate relations with Secretary Dawson. But henceforward it is best to let him tell his own story.

The Examinacon of Edward Tyrrell taken before the honourable Richard Nuttley, Esq. one of her Maiesties justices of the Court of Queen's Bench in Ireland the 6th day of March 1711-2.

Who being duly sworn and examined saith that he having obtained a pass from Mr. Secretary Dawson bearing date the 9th of December 1710 whereby he was permitted by the name of Edward ffitz Gerald alias Tyrrell to goe from Dublin to London he soon after left this city and went to London where in the space of about fifteen days he arrived on foot without about two or three pounds in his pockett and after he had stayed in London about ten days where he lodged in the house of one Spring a Goldsmith near St. Martin's lane he went by water down to Harrige [Harwich] and after he had stayed there about two days he went in a Collier to Lassan Gant where he arrived in about three days and from thence he went on foot to Gant where he staid about eight days where he mett with one ffather Lynch with whom he had been formerly acquainted. That this Examinat often heard the said Lynch express his expectation that the Pretender would come home again that the high church and low church could not agree, by that means the Pretender would be brought home again; that he had acquaintance with no other persons in Gant and that while he continued there he passed by the name of Tyrrell; that from Gant he went to Louvain and there as soon as he came, enquired his way to the Irish Colledge and when he came to it he enquired for the Guardian who came to him and this Examinat passed to him for Edward fflaherty the son of Roger fflaherty of parke in the County of Gallway and saith that the said Roger has a son whose name is Edward and is now at home with his father as this Examinat believes. This Examinat saith that he found in the said Colledge one fflorence McNemara the son of Counsellor McNemara of near Killaloe in the County of Clare a middle sized young man about the age of twenty two year and who was a novice in that Colledge of about half a year standing. That this Examinat was very well acquainted with the said young man for that the Examinat was about two year ago at his father's house and there he saw the said young man at home with his father. The said young man told this Examinat that he and his elder brother were sent by their father from Ireland about two year agoe and that they had with them about 100 pound and that the elder brother went to St. Germans to the Pretender. This Examinat further saith that while he was at Louvain one James Ternin a member of the said Colledge and a Regular of the Order of St. Francis and who he had often seen officiate in the church there was ordered to come into Ireland by the Superior of the franciscan order who lives in Paris. That during this Examinat's stay there he saw the said ffather Ternin after he had thrown off his habit in Lay man's Cloaths and the said Ternin told this Examinat

he was to goe to Dublin to ffather Edmund Byrne Titular Arch Bishop of Dublin; the said ffather Ternin, ffather Dillon and severall others told this Examinat about the time that the Pretender was to land in Scotland the said ffather Byrne was by virtue of some order sent by the Pope to the said ffather Dillon and by him sent to Ireland to one Rourk who is brother in law to Councellor McDonogh and lives in his house in the County of Roscommon and that Owen McDermod and the said Rourk were likewise made Bishops the same time by virtue of the said order and this Examinat further saith that he saw in the Colledge belonging to the order of St. Dominick in Louvain one Edward McDermod son to Bryan McDermod of the County of Roscommon whom this Examinat very well knew before he left this kingdom and is now a novice belonging to the said Order and this Examinat further saith that one — McMahan son to Collado McMahan of the County of Monaghan was some time in the latter end of the last harvest as this Examinat was informed by the aforesaid ffather Dillon was likewise sent on here as Bishop of Cloher who as this Examinat was informed lived for some years near Leven [Louvain] and had 2000 guilders per annum as being the first Doctor of a Colledge in that place. And this Examinat further saith that Lieutenant Edward ffloherty who was in Collonel Denys [Devenish] Regiment that was raised in Ireland for the service of King Charles of Spaine deserted the said service and went over with seventy of the men of that Regiment to the french King's service and is since as this Examinat is informed returned to Ireland and is joyned his brother David, and the said Edward ffloherty has brought a party of disaffected persons into this kingdom in order to raise a rebellion to whom a great number has since adhered and as this Examinat is credibly informed are the people that hough the cattle now in Conaght and this Examinat further saith that he is very well acquainted with Captain Denis Floherty and his brother Edward and believes that they were sent with some men on purpose to raise a rebellion in this kingdom by what he heard at the severall convents he had been att in fflanders; that some time in the last winter this Examinat left Louvain having there and in other places got about five pounds to loan his charges to Ireland and soon after took shipping at Haiesluce in the Dolphin packet boat and in about four and twenty hours he landed at Harrige from whence this Examinat prosecuted his journey on foot till he came to parck Gate where this Examinat took shipping in a Chester ship and landed at Ring's End about ten weeks agoe from whence this Examinat went to Hoffaughroe near Bray where this Examinat has since continued until brought to Tirone by Collonel Edwards.

And further this Examinat saith not

Jurat 6 die Mart [1712] EDWARD TYRRELL.
coram me R. NUTLEY.

In the following deposition he gives some particulars supplementary of the foregoing account:

Co. Wicklow.

The Examination of Edward Tyrrell formerly of Park in the County of Gallway an inhabitant, who being sworn saith:

That by virtue of a pass (dated the 9th day of December 1710 and signed by Joshua Dawson then Secretary to the Lords Justices) he went from this kingdom for England and thence for fflanders pursuant to directions from the Lords Justices (from whom he received as a reward the sum of ten pounds) and upon his comeing there he this Deponent made it his business to goe to the Irish Cloysters and the English Colledges in Flanders aforesaid and past there as a son of Roger Flaherty of Parke in the County of Gallway, Gentleman, who was very much esteemed in those Cloysters and Colledges and after being some tyme there he this Deponent found that the whole management of the heads of those Cloysters and Colledges tended to the bringing in of the Pretender into the kingdom of Great Brettagne; and to forward the intreige they declared they had sent several Popish Bishopps into Ireland in order to manage that design and to incense the Popish inhabitants of that kingdom to a rebellion in order to promote popery and roote out the Established Religion of the Church of England; and the names of the Popish Bishopps who were sent over into Ireland being first sent from Flanders to Rome where they were made Bishops (according to this Deponent's information) and thence sent for the kingdom of Ireland, whose names according to the said information is (sic) as follows viz. John McMoghan Titular Arch Bishopp of Clogher, Bryan Fitzgerald, Bishop of Elphin, Owen McDermott, Bishop of Conrah [Achonry] near Elphin aforesaid Major Macdounell [*struck out*] and one Edmund Byrne Bishop of Dublin the last of which he ordained clergy within these three weeks last past being informed thereof by ffather John Talbott parish priest of Connaght in the County of Dublin on Saturday last and that he had one of the said new ordained clergy as a curate to himself and his name being [blank] Meghten but this Deponent could not find out his Christian name. This Deponent further saith that about October last landing in England he found the Duke of Ormond was in Ireland and thereupon he made the best of his way for Ireland and upon his landing which was about the beginning of December last he was taken so ill with a pleurisy and ague that he was not able to make his application to the Government who employed him in order to make the above discovery but was by his indisposition forced down to Passaroe in the County of Wicklow aforesaid in order to recover his health and as soon as he was able to stirr forth he this Deponent did apply himself to the next Justice of Peace (being

Richard Edwards of Old Court Esq.) and gave him in the Examinacon as before recited. This Deponent further saith that some yeares agoe there was a regiment raised in Ireland for the service of the King of Spain whereof one Devonish was Collonel, one Kennedy of Dublin was Lieutenant Collonel and among the rest of the officers one Edmund Flogherty was Lieutenant which Edmund deserted the service and went over with sixty of the men of said Regiment or thereabouts and entered himself and men in the French King's service and as this Deponent is informed, the said Lieutenant Flaherty is now returned for Ireland and has joyned his brother Donnell Flaherty (who brought a party of disaffected persons into this kingdom in order to raise a rebellion to which a great number has since adhered) and as this Deponent is credibly informed he committed great outrages. This Deponent further saith that he is very well acquainted with both Captain Donnell Flaherty and his brother Edmund and their whole family as well as the whole country where they lived and believes that the said Captain and his brother were both sent with some men on purpose (by what this Deponent heard before he left Flanders) to raise a rebellion in the kingdom of Ireland. This Deponent further saith that several persons of the Popish religion has (sic) sent over their sons to be educated in the popish religion beyond the seas contrary to the Act of Parliament for restraining of them, viz. Councellor Mcnemara near Killaloe in the County of Clare sent over two sons, one being at St. Germains and the other a fryer att Louvain in Flanders and not sent thither above eighteen months agoe. One Bryan McDemott of the County of Roscommon sent his son to Louvain about a year agoe who was made a fryer ere this Deponent left that place and further saith not. EDWARD TYRRELL.

Capt. coram me 4° die Martii apud Old Court 1711-2.
RICHD. EDWARDS.

During the year 1712 Tyrrell commissioned by the authorities made several expeditions through the country in search of priests. Many particulars will be narrated in future chapters; for the present it is enough to say that in December of that year he, under the alias of Edward Moore, went through the form of marriage for the fourth (or fifth) time and was finally entrapped. Some of the numerous petitions he sent from prison set forth in detail his services to government.

To their Excellencies the Lords Justices in Council.

THE CASE OF EDWARD TYRRELL.

Imprimis. In the month of August last in pursuance of a Warrant from the Lord Chief Justice Cox he had taken Philip Reilly of

the Order of St. Dominick a popish priest who kept the convent of that function with all his papers, vestments and severall letters from France, harboured and supported by one Mr. Taafe where he was taken within three miles of Dundalk whence he was committed in the County of Louth. Witness to the truth hereof James Lee Esq. Justice of the Peace who lives within a mile of Mr. Taafe where the said Reilly was taken.

2ndly I did take in August last one Terence Conway a popish friar that went up and down the kingdom as a spy from the Popish bishops manageing their affaires. He was committed to the Gaol of Dundalk in the County of Louth by James Tisdall Esq. and John Barron Esq. One Tady Kelly upon a summons of John Barron Esq. made Oath before the said Barron Esq. that the said Conway offered and said Mass in the said Kelly's house in the town of Ardee. John Barron bound said Kelly to prosecute the said Terence Conway att the next Assizes.

3rdly I took one Patrick Markey a young popish priest of the town of glassnistle in the County of Louth and delivered him to the guard that went along with me out of the town of Ardee by John Barron Esq. The above Philip Reilly and Terence Conway were taken by the assistance of the Guard of Ardee.

4ly I took in the month of November last one Patrick Downin a popish Bishop with all his books, papers and vestments of a considerable value, he goes under the name of Carolan and severall other names. He was committed to the Gaol of Phillipstown in the Kings County by John Moor Esq. and James Ford Esq. Some days before he was taken he ordained nine young men as popish priests. Severall were summoned as witnesses who did declare upon Oath that they had seen the said Patrick Downin severall times officiate in the parish where he was taken and elsewhere in the King's County though not registered.

5ly I did apprehend Father John Downin a young popish priest with his letters of ordination signed by the Titular Popish Bishop of Dublin by name Edward Burn, he was committed to the Gaol of Phillipstown by John Moor and James Ford Esquires, Mr. Ward, Mr. McManus, Mr. Cahill, Dr. Ivory and others made oath against him that they saw him say mass in the parish where he was taken and elsewhere in that county though not registered.

6ly I did apprehend Redmund Renehan a young popish priest and delivered him to Mr. Goldsberry the High Constable and the rest of the Guard by virtue of a warrant signed by Mr. Moor and Mr. Forde. Upon searching of him there were severall papers found in his custody and an acquittance of rent signed by Mr. Lestran who told me he knew the said Renehan to be a popish priest and not registered.

7ly I had taken in the beginning of February last in the Citty of Corke one Patrick Carthy and William Hennessy two popish

priests late come from France with all the vestments, books and papers relating to their function. I had taken elsewhere hidden in a garrett a fine library of books lately landed directed to the Bishop who lyves now in Phillips Town.

8ly I had taken at the same time being in the beginning of last month two young priests newly ordained reddy to goe for France with their papers and letters by name Slynes, nephews to the Popish Bishop of Corke who was lately transported out of Corke by law. They were committed by the Mayor of Corke to the Gaole.

9ly I had seized upon in the Citty of Corke in the beginning of February last severall admirable rich vestments belonging to a Bishop with a mitre and other rich robes belonging to that function. In short the pope of Rome could not have richer wearing of that sort ; they were delivered to the Mayor of Corke.

I Edward Tyrrell have been bound over in five hundred pounds bond to be in Cork the next assizes to prosecute these affairs. I have been bound over by the Justices of Peace to be at the next Assizes at Phillips Town. I am able to do more service than is mentioned in this case notwithstanding I am confined by the management and spite of popery who spares no money to stifle my prosecution. I do actually know at this present time where Burn the Titular Bishop and Bourke who were lately in the Government's proclamation where they now lodge and has (sic) their papers. I have sent two in private these severall days past after 'em in order to acquaint the Government notwithstanding that I am afraid every minute in this house to be destroyed by the management of the popish clergy and other convicted persons that do here reside. Even the very papishes come out of the street into the Gaol to abuse me in my confinement. I leave it to the Great God what misery I am in for serving her Majesty's government. I lye under no crime but what may be bailed by law according to the opinion of the recorder and others. If I be not bailed I should be very glad that your Excellency would give an order to have me transmitted as a prisoner as an evidence for the Queen to Phillips Town and Corke that all those prosecutions may not be stifled by the management of popery. EDWARD TYRRELL.

Attached to the foregoing is a warrant from Justice Nutley to J. Sanders, keeper of Newgate Gaol, to take into custody the body of Edward Tyrrell charged with feloniously marrying a second wife the first being alive. It is dated 23rd February, 1712-3, Nutley would appear to have formed a poor opinion of Tyrrell. A previous petition to the Council had been referred to him. In this Tyrrell simply bluffed. He was a witness for the Queen,

prevented from rendering service "by the manadgment of Poppery." "It is only a trick putt upon him" and so forth. Nutley was not convinced; his report runs:

I humbly inform your Excellency that the petitioner stands indicted before me on Oath, for that he having a former wife living did in December last marry one Jane Moore. This crime is a felony, but it is certified to me by the Clerk of the Crown that the Petitioner was in Trinity Term 1710 tryed in her Maiesties Court of Queen's Bench for Bigamy and found guilty and burnt in the hand. So that it is past all doubt that he is not bailable by law. This is humbly submitted to your Excellency this 20th day of february 1712-3. R. NUTLEY.

In a further petition Tyrrell again set forth his services with some variations.

To their Excellencies the Lords Justices and Council.
The humble petition of Edward Tyrrell.

Sheweth—That your Petitioner was at the Assizes at Phillipstown in order to Prosecute the Popish clergy whom your Petitioner apprehended by the assistance of John Moore Esq. and other Justices of Peace of the King's County. The Hon. Sir Richard Levin and Mr. Souldan can inform your Excellencies and Council of what has past in Phillipstown and that notwithstanding that Counsellor Thomas Daly and severall other lawyers were feed against your Petitioner's said just cause.

Sheweth—That your Petitioner was likewise at Cork where he has successfully prosecuted one Patrick Carthy and William Hennessy two popish priests lately come from forreigne countreys who being found guilty and received sentence according. All which the Hon. Lord Chief Baron Rochford and Mr. Justice Nuttly can justifie besides the severall trunckes of popish books whereof your Petitioner did already inform your Excellencies were produced with severall rich vestments before the said justices. That your Petitioner has been for severall hours together examined before the Grand Juries of the County and City of Cork when the said Grand Juries found severall other indictments against other disaffected persons whereof your Petitioner gave the said Grand Juries an account. All this your Petitioner has done in her Maiesties behalf. Notwithstanding that Counsellor Patrick French of Dublin and Councellor French of Cork and Counsellor Charter with severall other Lawyers were feed against your Petitioner in order to stifle your Excellencye's Petitioner's evidence for her Maiestie.

Sheweth That your Petitioner in his journey from Phillipstown to Cork apprehended one Richard fitzPatrick a popish priest lately come from France whom your Petitioner brought before two

Justices of Peace by the assistance of Mr. Haney, the messanger, and the rest of the Guard that were to conduct your Petitioner by order of the Government. That the said Fitz Patrick was committed to the Gaol of Clonmell by the said Justices of the Peace when your Petitioner in his said journey from Cork to Dublin prosecuted the said Fitz Patrick at the assizes before the Hon. Francis Barnard, Justice of the same, and the said Fitz Patrick was found guilty and accordingly received sentence. There was found in the said Fitz Patrick's pockett a case full of papers and letters which your Petitioner gave into the custody of the said Haney to be delivered to your Excellencies. Your Petitioner was for severall hours examined before the Grand Jury of the County of Tipperary in Clonmell aforesaid when your Petitioner gave severall examinations against other disaffected persons. The Grand Jury having found all the Bills ordered your said Petitioner to appear before your Excellencies in Council for further examination about some matters of great moment not fitt to be inserted here. Your Petitioner will further satisfie your Excellencies and lay before you severall matters of such weight and moment which shall be a wonderfull satisfaction to the whole Council and very much tend to the future safetie and welfare of her Majesty and all her good subjects. Your Petitioner would even now open the same but that he is sensible that some disaffected persons were of opinion that your Petitioner's late good services were but shams or lies. Your Petitioner is bound over in severall sums of money to appear at the severall places aforesaid the next assize in order to prosecute severall other persons.

Sheweth That by the Invention and malice of severall Irish papists he is accused at present of marrying of two women and wrongfully impeached, and does protest upon the faith of a Christian that in the course of his life he had no manner of dealing with his prosecutor, but your Petitioner is informed that the said Irish papists as well clergy as laity all over the kingdom do unanimously joyne together towards his down fall and all purely to prevent your Petitioner's prosecution at Corke, Clonmell, Philipstown and other parts of the kingdom. The said Irish papists will infallibly keep your Petitioner confined all the days of his life on pretence of some wicked practice or other if not prevented by your Excellencies. The premises considered may it please your Excellencies to act as much in your Petitioners behalf to my Lord Chief Justice Cox that your Petitioner may be capable to putt his intended good services into execution.

E. TYRRELL.

By this time, however, their Excellencies had exploited their humble petitioner. Constantine Phipps, lord chancellor, and Synge archbishop of Tuam, lords justices, wrote to Secretary Southwell:

Dublin Castle 19 February 1713

We have received your letter of the 10th and are not surprised that false representations of what passes in remote parts of this kingdom are transmitted into England. Some in this town are particularly zealous to charge the government with the neglect and mismanagements of the civil magistrates. Regarding the charges as to the apprehension of danger from the Papists at this time more than any other we cannot imagine whence it should proceed. If they are grown more insolent of late the Justices of the Peace and the Gentlemen of the Country are the persons who encourage them for if they did their duty to the Queen and Country in putting the laws in execution against the priests and persons who carry arms without license as they often have been requested to do by express commands from the Government signified in several proclamations, it would soon appear how little reason we had to apprehend danger. It is well known that notwithstanding all the care the government have taken that there is a generall neglect in the civil magistrates everywhere in putting the laws in execution against papists. Whether many priests are come into this kingdom lately or not we cannot tell; the only information we ever had of that kind was from Edward Tyrrell to whose credit you are no stranger and though he has often told us both priests and officers are lately come from France into Ireland yet we could never get the fact proved by any other testimony than his own though we have done all in our power to encourage him in his discoverys and to endeavour upon his information to seize and apprehend such priests and officers. But we never could find any other effect from his service than to get money from us and you know he has given the very same information to some former governments. If the priests say mass publickly and afterwards put on their swords to dare the country, are not the civil magistrates only to blame?

Accordingly Tyrrell had to go forward for trial and confront as best he could the several wives he had married. Henceforward his petitions are devoted not to the recital of his national services, but for the most part to blackening the character of these women. In one of them he states "the chiefe of your petitioner's prosecutors is one Margrett Clerk a common, lewd, debauched and disorderly woman," and that he can prove this by several witnesses. And he goes on the say that she is bribed to appear against him, having received "severall sumes of money and severall suits of Cloaths" that she was severall times in the Bridewell but is now the wife of one John Begley a blacksmith. In another petition he tries

to show that the charge made against him by Jane Moore was trumped up by the papists, and an affidavit for the purpose was enclosed. In this, Mary, wife of William Moore of Bridge Street, Dublin, swore that her daughter Jane was married to a man who went by the name of Edward Moore but since known by the name of Edward Tyrrell. One Mrs. Judge, niece of Mr. Lewis Pierse, advised Mrs. Moore to go to her uncle Pierse and that he would give her daughter £50 to prosecute Tyrrell. Pierse and an attorney named Burke brought her and her daughter to Judge Nutley and a warrant was issued for Tyrrell who was arrested about six weeks or two months later. A week before the trial was to come off Pierse and Burke came to deponent and threatened her they would make her fly the country and her daughter rott in gaol unless she prosecuted. Immediately before the trial Tyrrell again petitioned the executive for a postponement on the ground that his witnesses were out of town. He asks that their Excellencies would read Mr. Shouldun's report on his behaviour at the several assizes. So far from being enriched he has been six pounds out of pocket by his attendance at Cork and Clonmel, the only money he received "was at a clubb made by the Gentlemen of Cork upon account of your petitioner's true behaviour in his prosecution." As yet he has not got any of the rewards due to him under the Acts of Parliament, and concludes "Your petitioner humbly beggs for the tender mercye of God, and throws himselfe before your Excellencyes to consider the above allegations." Their Excellencies however referred him to the court. On 9th May, 1713, the trial took place and Tyrrell got short shrift. But his resources were not yet exhausted; he managed to get the death sentence deferred in the hope something might turn up.

> Upon application made to us by Edward Tyrrell a condemned prisoner in Newgate we are pleased to grant a Reprieve to Saturday the 23rd day of May instant and we hereby require the Sheriffs of the Citty of Dublin to forbeare execution to Saturday the 23rd day of May accordingly on which day the said Sheriffs are to cause the said sentence to be put in Execution.
>
> Dublin Castle 13 May 1713.

Even with the shadows of death gathering round him Tyrrell did not cease to play the hypocrite.

To the Lords Justices Generall and Generall Governors of Ireland.
The humble petition of Edward Tyrrell.
Sheweth—That your Excellencies poore petitioner being convicted and sentenced to die on the 15th of May instant but being reprieved to the 23rd of same month and your Excellencies petitioner expecting nothing else but Death doth entreat your Excellencies for the tender mercy of almighty God to suffer your poor petitioner to be carried in a coach to the place of execution, your Excellencies petitioner being unwilling to be carried in a cart as Comonlye are thieves and Highway men.
The premises tenderly considered may it therefore please your Excellencies to allow your poor petitioner to be caryed in a Coach to the place of execution and for soe doing your poor petitioner as in duty bound, will ever pray. EDWARD TYRRELL.

There is no reference on the petition and it would seem that the wretched creature was borne to execution amid the execrations of the populace. The following from a contemporary newspaper is the last notice of him.

[May 23rd, 1713.] This day Terrel the famous priest catcher who was condemned this term for having several wives, was executed.

The Irish House of Commons had voted that "the prosecuting and informing against papists was an honourable service" (*tt*), but no profession however honourable could survive such members as Tyrrell. Protestants themselves resented the imputation of priest catching, and the term "priest-catcher" became the most hateful and opprobrious that could be applied to anyone. Among the papers at Marsh's Library may be seen a sworn information.

Comit. Civit, Dublin, ff.

THE EXAMINATION OF JOHN MOLLOY.

Who being duly sworn and examined saith that one Samuel Dye a reputed Protestant on ffebruary 23rd 1722 called this Deponent a Priest Catcher, a rogue, with many ignominious names, collaring this Deponent and most grossly treating him where there were many Romans, either to curry favour with them or to raise a Mobb about him as this Deponent verily believes by the often repetitions he made of the name of Priest Catcher. And this Deponent further saith that one Thomas Rearfoot on the 3rd day of this instant April 1723 being taken on a Warrant of the Lord Mayor for a debt he owed this Deponent, he called this Deponent a Priest Catcher in the full market severall times,

(*tt*) Commons Journal III, 319.

refused to pay or come with the Constables, going to and fro among the crowd in order to stirr upp the Mobb to abuse this Deponent as severall of them did, he repeating the same words over and over again on purpose to hunt this Deponent. That one Toping of the Mobb called this Deponent quack, noe Doctor, told him he lyed, depending of the strong back which followed. This Deponent with drawing into one of the adjacent houses is afraid they will doe him some bodely harme, except they are prevented.

Jurat coram me 4 Aprilis Anno 1723.

JOHN FIAGE.

CHAPTER VI.

LIFE OF THE PRIESTS.

AS the penal code formed part of the ordinary law of the land, its operations could be fully and adequately studied only in the records of the inferior courts. But these unfortunately have all perished. Hence such knowledge as we have been able to glean has been derived from the proceedings of the executive government—reports, orders, warrants, petitions, judicial processes. Besides these there is however in the Dublin Record Office a very considerable number of papers which throw valuable light on the internal state of the church, the lives led by the priests and the conditions under which they worked. For though in these evil times no registers of births or marriages were kept, no patents of ordination or of presentation to parishes, no memorials of matrimonial proceedings, no documents in short which would prove the exercise of ecclesiastical jurisdiction, or would compromise priests and those who sheltered them, yet it was impossible for a great organisation spread over a nation to put away all evidence of its working. Hence as one turns over letters to magistrates, to civil officials, to military officers,—the multitudinous papers that make up the routine of administration, documents are met with strangely out of place. Latin certificates "from our hiding place" that so-and-so has received priests orders, that he is going abroad to make his studies and earnestly commending him to the charity of all bishops in communion with the Holy See. Or on the other hand parchments in pompous phraseology that Mr. Blank has for three years successfully studied theology in a certain university, in testimony whereof the Doctors of the celebrated faculty subscribe their names. Or again (for example) a dispensation in the third and fourth degree of consanguinity between Dominick French and Agnes Skerett. Doubtless such papers as these were found on persons arrested on suspicion of being priests, or in raiding houses where priests were known to

have been sheltered, and were forwarded to Dublin as clues to popish conspiracies. Many of them remain in the collections classed as "Civil Correspondence," "Miscellaneous Letters and Papers," and "Parliamentary Returns of the Lords Committee on the State of Popery 1731." We select a small bundle as they illustrate the condition of the priests in a part of the country which from its remoteness and from the number of Catholic gentry resident there, might be supposed to be out of the range of the popery laws.

Patrick Duffy was appointed parish priest of Ballinrobe, Co. Mayo, about 1696. Some exact particulars of him are obtainable from the Register of Popish Priests of 1704. He was born in 1658 and would appear to have studied at the Irish College at Douay, for his ordination is set down at Cambray in 1687 by the celebrated Fenelon. At the registration John Browne of the Neale and George Brown of Liskillin became sureties for his loyal behaviour. Almost from the beginning of his pastorate he seems to have acted as rural dean of the district of Ballinrobe. Dr. Lynch, the archbishop of Tuam, had been outlawed at the Revolution and had not ventured to return to Ireland. The diocese therefore was administered by his two vicars, Dominic Lynch, his nephew, and Dr. Francis Burke, who passed under the aliases Dominick Deane and Miles Staunton respectively. These carried on a correspondence with Duffy on various matters connected with his deanery and some of this correspondence was preserved by Duffy unfortunately for himself. Though he had taken the oath of allegiance to William and Mary 18th April, 1698, and had subsequently registered himself according to law, yet the suspicion at length got abroad that he was exercising popish ecclesiastical jurisdiction and his capture was determined on.

Dublin Castle 11 March 1711-2.

Sir—It is the express orders of the Lords Justices and Council that you take up and apprehend the bodies of Patrick Duffy popish priest in the County of Mayo and Edmund Burgh popish priest in the County of Gallwey and that you return to me an account of your proceedings therein.

Sir—Your most humble servant

To Robert Miller Junior at Ballinrobe. JOSHUA DAWSON.

[Reply].

Milford 18 March 1711-2.

Sir—As to their Excellencies commands for apprehending Duffy and Burke I shall do my utmost and have already done all in my power, having granted warrants against each of them both in the Countyes Mayo and Gallway. They have both quitted their parishes and are, as I am informed, gone to shelter themselves, the one att Captain Hussey Burke in the borders of the County of Roscommon, the other towards Westport in this county whither I last night sent a party to take him.

To Secretary Dawson. ROBERT MILLER.

From a letter written from Castlebar 23rd September following we glean some details of the pursuit.

Mr. Miller says he was ordered by the Archbishop of Tuam when his Grace was appointed one of the Lords Justices to seize Patrick Duffy popish parish priest of the parish of Ballinrobe and all his papers. Pursuant to which in two or three days he went to Ballinrobe and not finding his person, he went to the said Patrick Duffy's closett and seized severall of his papers and such as he judged important he delivered to his Grace. Amongst which was one signed Albane [? Cardinal Albani] with severall seales and entreys of severall offices through which it seems to have been past, which said Miller understood to be a Bull from the Pope impowering the said Patrick Duffy to absolve all such as had taken the Oath of Allegiance.

Archbishop Synge hurried to Dublin with the treasonable documents.

Dublin Castle 11 March 1711-2.

Sir—My Lord Archbishop of Tuam having laid before the Council a paper you seized in the Popish Priest Patrick Duffy's house which was signed by severall persons who retracted and renounced their having taken the Oath of Abjuration, their Excellencies and Lordships desire you will give in your Examination upon Oath before the next Justice of the Peace of your having found and seized the paper in the said Popish Priest's house.

Sir, Your most humble servant,

To Robt. Miller. JOSHUA DAWSON.

The priest was captured not long after and put on trial. The result we learn from the Warrant Book of the Lord Lieutenant.

S. WHARTON.

Whereas Patrick Duffey a secular priest of the Popish Religion by his remaining in this kingdom beyond the time limited by Act of Parliament for his leaving the kingdom, has incurred the penalty of the said Act in the same manner as a Regular

Convicted, and Whereas the said Patrick Duffy has given good security to her Majesty of the penalty of ffifty pounds to transport himself to some part of Spain in six months from the 4th of August instant. These are to require you to cause the said Patrick Duffy to be delivered to Abraham Phips, Master of the good ship the Diligence of Dublin now in this port bound to Spain, and send him in custody on ship board in order to his transportation and for so doing this shall be your Warrant.

Dublin Castle 7 August 1711.

To the Sheriff of the City of Dublin.

Among the correspondence seized by Miller were some of the letters sent to Duffy by the vicars-general. These are little scraps of writing about nine inches by four, creased, soiled, and faded, and it is impossible to look upon them without calling up some picture of the circumstances in which they were written. They are the vestiges of men engaged in a welter and struggle for very existence, who had little time and no thought for composition. From their appearance it is evident that they were carried by the messenger concealed in the lining of his clothes or perhaps between the soles of the boot. The earliest refers to the distribution of the holy oils for Baptism and Extreme Unction. These according to the Canons should be distributed at Easter but they did not reach the Connaught clergy until June; for the bishops available for consecrating them, were hidden away somewhere in Cork and Waterford.

7 June [16]96.

I will summon those in your district to meet on the 17th current, in the morning at Killcoman chapple to renew the Oyles and comply with Dr. Burk ['s regulations] who will bee there as allso your owne. DOM. LYNCH.

This to fr. Gibbon will suffice for him.

[Endorsed] To P. Duffy Ballinrobe.

For the terrible years that followed we have fortunately a series of letters.

Gallway April 29, 1698.

You will from time to time by sure hands for Mr. Lynch's of Ballenrobe house, direct anything that offers under your own Seale and cover 'to Mr. Andrew Lynch att Ballenrobe' as if for him by Post recommended to you. You must unceasingly watch on all sides far and near, and make instrument of one Brother to reprehend the other. Your, DOM. LYNCH.

In the following Dr. Lynch adopts the alias "Dominick Deane":

February 27 1698-9.

Reverend Sir—I had your last by the ould man who allso tould me you designed to visit me. I do not question your kindness and I am very sorry I cannot incouradge you, for my present circumstance is such as you know, and that cannot well admit visits. Wherefore it will be more expedient and discreet to send [communications] by paper than take the paynes of all this way, and hazard perhaps great evills. I understand your Assizes will be there on the 5th of Aprill, wherefore I think it convenient you defer the meeting of the 15th of the next, till that day be over and till the 15th or 20th of Aprill as you will thinke fitt. We ought to keep as silent as possible yet a little. I hope you have great care of Mr. Gibbons and Mr. Mally to see how they serve. Pray at your leasure order a paire of shewes made for me as if for your selfe, and be it somewhat biger then your own shewe, the heel not very high and well nailed. Your owne. DOMINICK DEANE.

The following is from the other vicar-general, Dr. Francis Burke:

1 May 1699.

I came hither in Mr. Deane's absence and the holy oyles will come to me soone to be distributed. Wherefore I pray you warn the fathers of your district to meet where you will think fitt.

Yours MILES STANTON.

July the 22 1699.

I came into this your country but of a start. I part tomorrow wherefore I cannot attend what we have resolved upon concerning you and father Bourke till the next time that I expect we will both see you. There is an Information made against us in Dublin; upon the Information, orders [were] sent to the country to bring us to question. Yett all will signify but little. Si Deus pro nobis quis contra nos? We must all keepe close these three weeks to come. Your own DOMINICK DEANE.

In the next there is an allusion to a priest hunter whose name has appeared in a former chapter:

February 25 1699-1700.

I shall be glad to hear from you if anything occurs at present. Wee will keep very close till the Assizes be over and till we know further off the designes of Mr. Birmingham. DOMINICK DEANE.

June the 1st 1700.

We meet with many troubles concerning the diocese of Elfin since we parted that country which delays us in this county and the county of Roscommon and will stay us further yett. I hope Mr. Shaghnussy is as Dr. Madden ordered him,—since desisting

from his former disorders there in the district of Cong. If nott he shall blame none but himself for his utter ruin. I am sorry unwelcome accounts are given att all this distance of your friend father owen Mally. He must not think wee can always forbeare with him. Pray advise him to have more care of his behaviour and charge. Your own DOMINICK DEANE.

July 27 1700.

I shall see you on the 22 of the next as this enclosure requires. You sumon all yours to meet where you shall think most convenient which I believe may be att the place where we mett last, and be itt timely in the morning, without horses or servants or any sorte of noise which is all now from your Brother.

DOMINICK DEANE.

March the 9th 1701.

I doe not know what to doe as yett for my safetie. God will direct us. I hope you have some pence to send me by this Bearer. It's hard to be emptie in our circumstances. Wherefore if you are forced to borrow, faile not sending me some till this shower be over. All our brothers have been formally inlisted [names registered by Sheriffs] and if they will have them the second time I believe it will be no matter so there be no bayling them and that they doe not appear together for feare of a surprise. This last Order or Proclamation was not resolved upon since the Hollanders declared for the King of Spain. This may soon alter it or [they] will issue more hard Orders. Yours

DOMINICK DEANE.

More "hard orders" continued to be issued, and the proclamation of 28th February, 1701, was followed by a still fiercer one on the 25th November. The reign of terror is illustrated by another docket of that year.

May 1, 1701.

I believe father Walter Mars [? Meagher's] house to be the most discreet place as you say. I see no necessity for either of us [vicars-general] in these times to be with you. The High Constable is willing to be kind and seems soe. If he will not surprise we will be safe. Your Brother DOMINICK DEANE.

August 15 1701.

Rev. ffather—I am but now come into this Country and can make noe great stay in it, and by reason of our long absence and great troubles it would be necessary and satisfactory we should spend an hour together. I can think of noe other place more convenient than fr. McDonell's house at Dunamony and about the beginning of next week. I want some paper which you will be pleased to bring me if you can spare the time to come. D. DEAN.

To Father P. Duffy, Liskellin.

September 19 1702.

We are very sensible of your present condition as we suppose you are of ours. Wherefore we need not dilate of either side. We had no Cathedratica [i.e. sums payable by priests to their ordinary superior] off you a long time, which though inconsiderable to you is something to us, both for our support, and the obligation of calling for it to you as established and accustomed in yearly synods, which may be forgott if not in some manner kept in practice. Wherefore we both or one of us resolved to see you at your next month of October meeting at your severall accustomed places of meeting and require you bring your Vestments, Pixes, Oyle Boxes, rituals, Breviaries, Statutes and Casuists you moste make use of. As for one portatil [altar stone], booke each, about himself and on his owne horse. We have some particular things to communicate to you then soe as you must be all summoned to appeare and those of Kiltenain in father Walter Bourke's Mass house. We do intend for some little rest's sake to retire for some part of this winter and meet some others of our circumstance [vicars general] to consult on some matters of ill consequence to our trust which we would have done eare now but that we wanted pence to beare our charge. Wherefore be sure if you are forced to borrow so much, to have for us a crowne apiece. Yours DOMINICK DEAN.

Even at times when the exercise of coercive power exposed them to serious peril, the vicars did not shirk their duty.

To father John Mally. 5 June 1705.

I heare you begin to follow the practice off the ffriars, annointing and administering other pastoralia when you are not authorized. If I here any more of this I will not brook it. Behave yourself as becometh, otherwise expect no kindnesse from Yours

DOMINICK DEANE.

The following is another manifest exercise of jurisdiction :

October 22 ——

I suppose you had our late letter concerning a meeting next moneth. It is here reported that the good ould Lord Abbott of Cong is Dead. Iff soe you know of it, and we must see you of necessitie and be it tomorrow night att ffather Alexander's [Fr. Ulick Burke's] mass house after night fall an hour. The way for you will be to call to ffather Alexander and bring him after night fall to the mass house with candle light and wee will be with you punctually there. [Let] noe man know of it. Iff the Abbott be not dead give yourself noe trouble but send us [word] by this [messenger] that wee may spare it alsoe. All from your owne. D. DEANE.

Henceforward the letters become fewer. But the infamous oath of abjuration imposed by the Act 8 Anne, c. 3, brought new difficulties.

March 16 1711.

Rev. Sir—You know the Abjuration as public and scandalous perjury was hetherto reserved specially, and shall be still in this our district. Save the few we design shall act for us or by our own power which we cannot sub-delegate [no one is to give absolution.] Wherefore if any abjurer in this our district should pretend to be absolved, you must know by whom, that such [priest] may be punished and made sensible of his error and ignorance, and the [person] so unlawfully absolved must be by you again absolved, as one of the new authors [decides] upon the following conditions and terms:

First. That each of them shall sign and acknowledge the annexed declaration which you must be sure to keep private for we do not design to expose any body but as little as we can.

Second place; they must oblige themselves henceforth never to pretend to defend or commend the taking off the said Oath to anybody but rather as far as shall lay in them, censure it as the Church does and it deserves.

Third. That each of them without delay shall cause the Holly Sacrifice of the Mass bee at least once offered for them, and perform what pilgrimage, fast, alms and prayinge you shall think fitt to impose according the condition and constitution of each person, and

Finally That for the future they protest against these or any other such oaths censured by their pastors and church. Upon performing and engaging to perform all which you will admit as many as shall come to you to the Holly sacraments of penance and the rest but not otherwise. I rest Sir,

Your Brother and Servant

DOM. DEANE.

[Endorsed] To the Rev. fa. Patk. Duffy Ballenrobe, these April the 10th, 1711.

The untimely death of our friend Captain Browne is a mighty surprise uppon us all and an unspeakable loss to all his friends and especially to his own charge and family as I apprehend. The Almighty be mercifull to his soule. I am thinking all the county will be flocking there abouts this day and will be soe till the Corps be interred, and that all the cleargie hereabouts will come to offer their service for the reliese of their great patron's soule. The times are bad and we have reason to [observe] caution. You take great care of yourselves lest you be surprised as we are informed is intended. You must keep no sort of a station or meeting, but from village to village serve your people at unseasonable hours. I dare not goe further your side. I

believe you may better serve or distribute the sacred liquor [the holy oils] in some house there at the Neale than where we thought to meete this day For I believe that you will see all those that you thought to see on this and the other side of Ballenrobe there, especially when you cannot want a messenger to advise them to come to you by degrees on account of your present occasion there. Which is the most discreet method you can take to serve the soule of our friend and [you are] not to keep them long to make a show. If there be anything of a distribution, my compagnion [Dr. Burke] and I will deserve as well as another to be shared with. Such as you renew the oyles for, must answer our due [i.e. the Cathedratica] before you give them their boxes. Make a list of them. If you could spare the time to come so far to me as the bearer will tell you, it would comfort me much. Interim I rest Sir your own

DOMINICK DEANE.

The caution which the vicar enjoined on his clergy was not only needed for their own safety but for the protection of the family they came to honour. For if it could be ascertained that Captain Browne died a Catholic and in particular that a priest was in attendance at his death bed, then his estates of inheritance might be broken up in accordance with the Gavelling Act, and such other lands as he had leased or acquired became the property of "the first Protestant discoverer." This may be illustrated by the remarkable case Swan *v.* Governors of Stephen's Hospital. In this case one Edward Cusack of Athboy and Dublin by will dated 23rd June, 1753, left the hospital the reversion of his estates amounting to £500 a year. Though Cusack had been an ostentatious Protestant during a great part of his life, one Daniel Swan claimed the property from the Governors as the first Protestant discoverer. The claimant's case was that Cusack was present different times at mass "seeing it sometimes through a window;" that he kept company with Papists and popish priests whom he harboured, particularly one Plunkett; that he suffered mass to be celebrated in his coach house, but above all the damming fact "of the priest and his [Cusack's] popish nieces being with him the evening of his death." This last circumstance was considered of such importance that the counsel for the hospital tried to rebut it by the plea that the three parties came to Cusack merely to play a game of cards with him! The vicar-general therefore had good reason to warn the

clergy not to compromise the Browne family. But in vain. Though the estates were saved, the following letter from the Protestant Archbishop of Tuam to Archbishop Wake of Canterbury shows how Captain Browne's heir was kidnapped and the family of the Marquis of Sligo became Protestant.

Tuam April 15, 1725.

My Lord—When the interest of religion is any way concerned I am sure I need make no apology for being your Grace's Adviser and Director. One Mr. Browne of Newport in the County of Mayo and Diocese of Tuam a young gentleman of about 700 pounds a year, born of Popish parents is by the Care of his Guardian and some other worthy friends bred a Protestant and being about sixteen years of age is Master of as much Latin with a little Greek as is necessary for One who is not designed for any learned profession. His Protestant friends desire to give him some University Education and being desirous to send him to Christs Church in Oxford that he may be secure from the insinuating attempts of his Popish kindred, have been pleased to make their request to me that I would procure a Right Good Tutor who may take effectual care of him with respect both to his Religion and Manners, as well as Learning. It will with God's blessing be of very good consequence to the neighbourhood of Westport which is a remote country with very few Protestants in it, that this hopefull young gentleman be brought up a good Protestant as well as a good man in all other respects. And therefore I beg your Grace's information and advice in the choice of a Tutor for him. Long absence and no correspondence have made me an absolute stranger to an old College, for which reason this trouble is of nesessity given you by your Grace's most obliged and faithful servant

EDWARD [SYNGE] Tuam.

The following is the last letter of Lynch's discoverable. As it post dates the transportation of Father Duffy by four years, it must have been obtained by a raid on another priest's papers:

April 22, 1715.

Rd. Fr. Doctor Burke is lately returned from Corck with the holly oyles. We desire you acquaint those in your district to recur on the hollydays of Pentecost to Ballenrobe to renew [them.] Much of the time is past us, soe as this shall be no excuse then.

To fr. Walter Burke. Yours, DOM. LYNCH.

The correspondence of Duffy with Dr. Francis Burke, the other vicar-general and subsequently archbishop, though not so extensive is of no less interest. The earliest document is a summons from Burke to the clergy secular and regular of Tuam, having

the cure of souls, to attend a diocesan synod in the chapel of Borescara 6th June, 1695. It must have been no little risk in these times to bring such an assembly together, yet synods seem to have been held with fair regularity. On the 4th June, 1698, the year in which the priests were expatriated in hundreds, the clergy of Tuam met in synod. An abstract of the charge given by Dr. Burke may be given:

Being so long from your conversation and company I extremely longed for the opportunity of saluting you herewith. For though you are out of my sight you are not out of my mind. My heart is vigilant for your welfare (5 Corin). I can give you no account of my proceedings since I saw you nisi de labore et dolore in quibus cum Apostolo ad Romanos quinto, gloriamur, scientes quod tribulatio etc.

The dignity of the priesthood is the greatest on earth. Ne mihi narres purpuras nec diadema nec vestes aureas, umbrae sunt haec omnia in comparatione dignitatis sacerdotis, and in consequence the obligation is greater on the priests in serving the vineyards trusted to them. Qui dedit multa, multum quaeret ab eis (Luke II).

We ought to hold ourselves indispensably obliged to compose our behaviour and actions especially in this juncture of time more than ever, when the flock depends only of the priests as their guide in good example, sound doctrine and modest behaviour. Wherein if the priest fails what shall become of him and the flock. The flock strays for want of pastor and guide, and in lieu of defending them from the common enemie, he will ensnare them in the laborint (*sic*) of perdition.

We know well how to apprehend and examine how profitable and unprofitable, benefices be for our temporal maintenance and begrudges (*sic*) if small the charge to us committed, little considering our little sufficiencie to support the least charge. If we think that we comply [with our duty] by saying mass and administering some sacraments to the dying, really we are deceaved. It is not all, for we are obliged to instruct them in the Christian doctrine and give them dayly the evangelical foode. Praedicate evangelium omni creaturae (Mark 16).

The prophet minds us of the judgment, and his reason is quia laqueo facti sumus—by our bad example in keeping bad company —by our lewd and light carriadge—by our conversation nothing modest nor edifying but contrary to our function—by being most sloathfull in our application to spiritual reading. Wherefore we are in our reasons shallow, in our exhortations unprofitable but in worldly occupations more active than becometh, and more like seculars than spiritual pastors, nay to our great confusion inferior to many [members] of the church in vertue and behaviour.

Doubtless this was modelled largely on the episcopal charges with which the vicar was familiar from his French up-bringing. Addressed to men under the harrow of the penal code, and living on the barest margin of subsistence, it must have sounded almost grotesque. In the subjects proposed for discussion at the theological conferences one can also hear the echoes of the Sorbonne.

Quaestio 1ª

Quid et quotuplex sit lex?

2ª

Utrum lex naturae aut Decalogi invincibiliter ignorari?

3ª

Utrum homo in statu naturae lapsae et sine gratia aut auxilio supernaturali possit implere omnia aut singula praecepta legis naturae aut Decalogi?

4ª

Utrum librum arbitrium propriis viribus aut sine auxilio supernaturali possit assentire veritatibus supernaturalibus ut a Deo revelatis.

5ª

Utrum liberum arbitrum per se et sine adjuvante gratia aliqua valeat elicere actum virtutis moralis.

6ª

Utrum peceatum veniale sit in rigore peccatum contra legem Dei et si culpa venialis remitti potest in altera vita.

In the following agreement we have recalled the old rights of patronage exercised by laymen before the Reformation:

James [Lynch] Lord Archbishop of Tuam did by Instrument at the Neale 11 May 1698 declare that he was then on his visitation soe as until his return he might not attend the determining of differences between his Grace and Edward, Baron of Athenry about the presentation of the parishes of Dunmore, Killkerin and Killererin. And whereas the said Lord Baron offered to make out his title, and the time proving troublesome then and since and his Grace having by the said Instrument declared to avoid all prejudice to the Lord Baron or his heirs on account of any collation made to the severall rectories vicarages and parishes of Killkerin, Dunmore and Killererin by the said Archbishop, did declare that the severall incumbents should be there indifferently only for serveing the cure of soules without prejudice to the right of the said Archbishop or the said Baron until the right of presentation shall be examined by indifferent persons to be named by the said Archbishop and the said Baron, which the said Archbishop declared should be done on his return from his visitation. And whereas Father Roger McDermot

parish priest of the said parish of Killererin is now ten days dead and the said Lord Baron by instrument dated did present unto us Dr. Francis Burke Vicar Generall of Tuam in all usual manner, Fr. Francis Duffye as a fitt person to supply the cure of soules in the said parish and as the said Baron offers to make his title appear before the said Archbishop, yett in regards the said Archbishop is now and hath been for many yeares past banished into France soe as he may not without eminent Danger of his Life appear in this kingdom of Ireland, and that we are now under great Disquiett not dareing to appear in Publick we doe assure the said Lord Baron that wee will notify his desires to the said Archbishop and untill answer be had wee doe consent and agree that an indifferent priest chosen by the consent of the said Parties shall attend the cure of soules. 20 June 1701.

EDMD BURKE Prebend de Kallagbeg. Signed FRAN. BURKE
JO. BIRMINGHAM. ATHENRY.
PA. DUFFY.

The vicar-general did not confine his activities to his own diocese. The Bishop of Elphin, old and decrepid, was eking out his last years in Louvain where he had long been a refugee. In his absence the evils contemplated by government in banishing the bishops, had become widespread in the diocese. Much therefore of Dr. Burke's anxious responsibility arose from the bickering and the uncontrolled condition of the vacated dioceses. Writing to Father Duffy about the year 1706 he states :—

I have continual troubles by the neighbouring Dioceses, specially by the Diocese of Elfin whose priests are in great variance with their vicar Doctor Ambrose Madden of Loughrea. [One of them] appeales from his own ordinary to me, and through frivolous apprehensiveness, suspects in his letter of my partiality as you will see hereafter. Wherefore I hould it convenient to appoint for the tryall of his business Arbiters Juris. I send you inclosed the libel [statement] presented by him and doe desire that you send a copy of it to ffather Myles Gibbon that you may [both] judg upon it, for I intend to name you both for to heare and sentence the matter, if it comes to a tryall. They shall goe to your conveniencie. As far as I can hear they would name Dr. Lynch, they would suggest him more then my selfe. I am sure he puts in his libell many things not much relateing to the matter, I say nothing of it but what I see by the libell inclosed. I send you alsoe a copy of a petition presented by a priest of the Diocese of Elfin who requires me to apoint for him an Advocate to pleade his cause. I named you for him. He is able [rich] and will consider you well for your trouble. If he goes to you you must draw a libell in form for him.

Besides ruling the church it is, according to the Apostle, the office of a bishop to preach. As the solitary pastoral that has come down to us from those times, the reader's indulgence is craved for the following:

Whereas it has been evermore practiced by the faithfull both in the old and the new law when threatened with sorrow and affliction from above, to have recourse to their only refuge, the Almighty by fasting, prayers, and sundry other mortifications whereby they appeased His divine wrath, especially when their pennance for offending their Creator and Redeemer was sincere and true. Wee then who profess christianity but practice it so little, whose chief care and study is to seek happiness, when there can be no reall, and by acquiring riches, and very often by unlawfull means, and in the meane time neglect our duty to God—Wee I say who find pleasure in offending Him and difficulty in serving his divine Majesty, make nothing of transgressing his laws by adoring what we should despise and despising what we should adore, if wee seriously intend to work our salvation let us repent from our heart for our past iniquities, let us fast, pray and share our substance with the distressed everyone according to his ability.

The foulness of the weather this summer will without doubt open the eyes of many who have been hitherto in a deep slumber, force them to owne their dependence of the Divine Providence they so little thought of in their prosperity. One bad season will destroy their stock, cows and all their worldly substance. Such calamities may indeed induce much towards our spiritual good by making us deserve the name of Christians a name wee so often abused. We ought to [have recourse] before the throne of mercy not as hypocrites and pharisees and endeavour by our repentance and good works to divert this and other storms that hang over us. To this end the Clergy whose business it is to give good example to others will prescribe nothing for their parishioners but what they will practice themselves. The gentry and such as do not work will fast three week days. The priests both seculars and regulars besides the three days fast will say every day their masses devoutly with the two collects Da nobis et Ecclesiae [?] when they can be conveniently put in until the next Sessions of Parliament and even then too. The Clergy both secular and regular will in the beginning of their masses say their beads in *lingua vulgari* Sundays and holy days, and in every family-prayers at night all others will say with the prophet Daniel we have departed from thy commandments wee deserve confusion for our sins. It's not in confidence for our own justice wee offer our prayers to thee but of the multitude of thy mercies.

This is what I recommend to you, gentlemen, a confidence in the Almighty, the merits of our Dear Saviour's Death and Passion with the intercession of the Blessed Virgin, St. Patrick our holy Apostle and Patron, St. Bridgit, St. Brendan of Clonfert and all the Saints if we acquitt ourselves of our duty humbly and devoutly as well as we purpose, that we will obtain mercy Amen.

E[DMUND] K[ELLY] Clonfertensis.

the 5th July 1725.

In these calamitous times as it was not thought safe to make a second copy this was handed round from priest to priest according to the direction annexed "You may direct this upon sight to the next neighbour." The addresses of the priests are accordingly to be seen—most of them however, obliterated: "July 12 1725 James Coughlan," "John Maddin," "pray forward to Mr. Denis Kennedy" etc.

There are several bundles of papers relating to the regular clergy in the Dublin Record Office. Though in the years subsequent to 1698 the pursuit of the friars was ubiquitious and untiring, yet many by registering themselves as secular priests continued to keep in the country. After 1720 persecution abating they began in out-of-the-way places to come together again and form little communities. They set up for agriculturists, rented a farm, took a few novices under the pretence of "servant boys" and with the aid of alms collected in the country round about, they managed to live. Seeing that the whole land practically, had passed to men animated with furious bigotry, who had every interest in uprooting and banishing the religious, it is interesting to ascertain how they succeeded in getting hold of houses and lands. The prolixity of the following epistle directed to Primate Boulter will therefore be excused:

May it please Your Grace.

I have heard from my friends in Dublin that there has been great endeavours used to bear down the credit of the Returns I made of the fryerys in this County. I am sure I can justifie my Returns and as I apprehend my reputation and honour is greatly concerned to clear off every doubt that may be conceived of the truth of these facts, I humbly entreate Your Grace and the Lords Committee for Inquirey into the present state of Popery, will please to examine me and I hope to give such satisfaction to every particular I have represented to your Grace and their Lordships as will leave no room to have my veracity questioned.

Since my last Return I have discovered two Convents of ffryers more in this County viz.—one at Banabula near Ballinahinch in Irconnought; I can't tell on whose estate it is. The other is in the woods on the mountains of Kilmurry. They have a good comfortable house. They removed from the County of Roscommon about 5 years ago. I am informed it is the estate of Richard Martin who I believe was a Convert [i.e. to Protestantism] he is lately dead. The fryers of Meelick hold their farm from Darcy Hamilton, a Popish Lawyer; it is in lease to Coll. Eyre from the family of Clanrickard for 999 years. Old Coll. Eyre sett it to this Hamilton for a term of years yet unexpired. There is a very large spacious house, well slated with brick partitions quite through the house and vaults lately built and not yet quite finished att this Abby for the use of the Abby. The fryers of Portumna live two miles I believe from the Abby at Buoly which they rent from Redmond Dolphin a Convert. The fryers of Kinallehin removed from Tarnany which is the estate of Robert Masson, Esq. to a house joining the abby in June 1730 or thereabouts. This house and eight acres was purchased from the late Earle of Clanrickard by Denis Daly of Rafort a Convert, and by him sett to those fryers. When those fryers came there in 1730 they found one Mathew Aylward following the soap boyling trade in it. They desired him leave their house with bag and baggage but Aylward went to this Daly and applyed to him for liberty to remaine in the house and Daly gave him a letter which he showed to the Community and they permitted him to remaine there ever since but on Wednesday the 5 January this last past Aylward declared that Dennis Daly had lately a few days before sett him the Abby and lands, for that all the hurry and trouble given of late to those fryers was only to take away those acres of the Abby from him, Daly, and that to prevent [i.e. anticipate] the same, the land and Abby was set to him Aylward. Mark Hickey the Guardian of this Convent often declared that they paid no rent to Daly but their prayers and that he was their great benefactor. There's a very large chappell well-slated, lately finished there. The fryers of Loughrea rent their house from one Lynch, brother-in-law to Dennis Daly who is a papist and at whose house Daly lives. The Fryers of Athenry live at Esker near two miles from the Abby on the estate of Thomas Power Daly, a Papist. The fryers of Clare Gallway live close to the Abby and are building a large house. It is the estate of Thomas Blake. A Convent of fryers of Ross removed from the Abby about a mile to Kilroe in Co. Mayo on the estate of Martin Blake a Convert. This Abby is the only one in this County in any sort of repair. It is the estate of the Lord St. George. The fryers of Dunmore removed about five years ago from Clonbrush near Dunmore to Garbally which is the estate of Patrick French Esq. The house

is in the name of one Higgins. Patrick Brehon is prior of the Convent and is a subscribing witness to a demise which I sent your Grace amongst the papers from that place. Kilconnell fryars live near the abbey on the estate of Antony Daly, a Convert, and those of Athycoffee near Clontoskert live on the estate of Nicholas Arcedekne a papist. I presume I need not mention to your Grace on whose land Thady Glinn lives (because the original leese is before you) or how he came to the parish of Dunmore because Brien O'Gara the titular Arch Bishop of Tuam explains the matter in a letter of his which is I believe before your Grace. If it be your Grace's and the Lords Committee's pleasure to inquire more particularly into the manner of Glinn's being placed in the parish, I hope I shall be able to offer some things that will support the credit of what O'Gara writes and give many instances of the unhappy circumstances the Protestants of this County are in by means of the power, influence and strength, the number and intolerable insolence of Papists who possess entire parishes and not one Protestant family in some of them. I am with the greatest ardour your obedient, devoted, faithfull, humble servant STRATFORD EYRE.
Eyrecourt 3 Mar 1731-2.

The numerous Catholic landed proprietors in Galway, even though some were "converts" will explain how in the worst times Franciscans, Dominicans, Augustinians, and Carmelites found a habitat there. In most other parts of the country the solitary regular who kept watch upon the old abbey lived as a secular and gradually disappeared. But however generous the patronage and however Catholic the district, the little communities were always liable to be swept off in a sudden squall of fanaticism. In 1732 all the Galway houses were raided, some of the members arrested, the rest scattered, while their papers were seized and transmitted to Dublin. There they may still be seen amongst the records of the Irish Parliament whose persecuting zeal they served to feed. From them it is possible to re-construct in some measure the life led by the friars during the second and third decades of the eighteenth century.

The documents belonging to the Augustinian priory of Dunmore are characteristic of the others and from them a selection is made. Though calling themselves the priory of Dunmore after an ancient foundation, the friars actually lived at Garbally twenty miles off on the borders of Roscommon where a friendly Catholic gentleman

named French leased them a farm. The following will illustrate a friar "in the making":

May the 21 1725.

The Bearer Mr. James Dwyer has lived with me above twelve months Tutoring my children, and has during that time behaved himself modestly, discreetly, and vertuously. He has a great inclination to become an Apprentice in your house, if he can be soe fortunate to be received, I can safely tell you he can be no discredit to the order. There's one of my children has a call that way. I would be glad to have the honour to see you at my house when next you come to the barony of Athlone being still Your R. most humble servant P. O'FFALLON.

Ambrose O'Fallon endorsed this "the Bearer is a good humanist and of exquisite good behaviour, which fr. Thomas Mulvee can attest." Here is a similar application:

The Bearer is a young man that has a design to live with you for some time in order to make one amongst you. I am acquainted with him for severall yeares and never could either hear or find out anything by him that might in the least redound to his discredit.

He tutored formerly at Captain Cheevers and these seaven yeares past at one Mr. Ned Erwins a very worthy gentleman here in our neighbourhood. This same young man will be cordially recommended to you, both by the aforesaid Mr. Erwin and Dr. Kelly or Captain Cheevers if need be. In short I recommend him to you as a lad that behaved very well hitherto and as a very smart scholar both as to French and Latin, writing and arithmetic; and together with all these perfections [he] has wherewithall to supply himself at the present with the proper requisites. You understand me, my dear Sir. I begg you'll use him very courteously at my poor instance till further recommended. My friends here join in giving you their humble service and pray except of the same from your most affectionate.

May the 13 1726. FR. THO KEGGAN.

The prior of Dunmore was Patrick Brehon who passed under the name of Johnson. Before he could receive novices the consent of the provincial had to be obtained. Peter Mulligan, provincial, writes to "Johnson" 5th November, 1724:

Mr. K. came here yesterday with your letter which I read as I did the attestation of very good persons about his life and manners. I have no reason to doubt of their sincerity in what they assert about him. To what I could not be deceived in myself—that is his capacity—in what I reasonably could examine him I tell you I find him capable enough. So that if you and he

will agree in other things I consent you receive him. But he must take care of the other young man there and if he be stubborn to him or you he will repent it. This Mr. Keegan is very capable to forward him.

SAME TO SAME, 3 SEPT. 1725.

There have been no less than sixteen that offered themselves to be received with us since I saw you last but all are put off till we look better about us. This hindered me—I mean this great number—to send two young boys to you at present. The confirmation of all elections and Acts of our Chapter by the Generall I got only yesterday into my hands though these were despatched by him the 3rd of October last.

If after a year's noviciate the young man's talents and conduct were regarded as satisfactory he was ordained and sent abroad to a convent of the order there to pursue for some years a course of philosophy and theology. Unlike the other religious orders the Irish Augustinians had no colleges on the Continent until 1739, but the foreign convents had agreed, owing to the persecution, to receive and educate a certain number of them. A few illustrations of the life abroad may here be given:

Rome May 31 1725.

My dear Fr. Egan—I should have given you a mere insinuation of my arrival, kind reception and welfare in the College, did I know whither to direct a scroll to you. Whereas at your departure from Cadiz you were uncertain whether you would go straight for Ireland or remain for some time in Lisbon where I doe find by father ffarrell's letter to a frier of yours and mine, you at present reside and doe wish you may live with as much content and satisfaction there as I doe here under the wings of the best of men, my ever Dear friend fr. Lector Jubilate O'Maddin who brought me here from Capla soon after my arrival there and settled me to my utmost satisfaction notwithstanding the College not wanting before a supernumerary out of my province. I overtook the course very happily wherein we arrived ere they finished the Logick, though we thought in Cadiz they were further advanced. The Guardian received very well the kind recommendation of me,—to whom you will be pleased to write answer of thanksgiving for his tenderness of your well wished. Whereby favour me with the result of this which I doe hope to be consoled with without delay for [I] am mentally uneasy you were intimated to be among them Portuguese. I delivered yours to L. Clery in the University who was kind to me on your account. As for the Prioress I haven't as yet seen her though we sent her your Letter which she received [I] am

told with mirth and tears. Pray when you write to my dear subjects or cousin salute 'em kindly for me and assure the former I am a little surprised to have received noe answer to the severall letters to 'em. Fr. Doctor Dounellan is vicar of the great university of Caplea and salutes you being now at my elbow, as are your old friends brother Nicholas Blak and your friend Cullin. I don't question did I acquaint the very Rev. Father Guardian and others of my writing to you, but they'd all kindly salute you whereas they urgently profess tender wishes for you. Old Fr. Peter Kelly dyed in Caplea the beginning of this Lent which is all the newes I can give you other than how prowd I am of the regularity and religiosity of the College. My hearty love to Counsellor French at St. Dominick's Key and to father Thomas Aylward for whose misfortune in his venture in Cadiz and Mariana I am heartily sorry; for they were not satisfied to throw all their affairs upon you. They don't care whether poor Tom be dead or alive. Wish him joy from me in his priesthood. And believe me to be most imoveably your own till Death. BR. MARCUS KIRWAN.

Al M.R. fr. Juan McEgan al Relegioso Irlanda in Casa grande de N.P. San Fran. in lo Ciudad de Lisboa.

In reply to a letter from "Johnson," a student abroad wrote:

Paris 9 October 1723.

Dear Sir—I had the favour of yours dated the 14 July by which I understand you take me for William Gibbons who is dead in Germany some yeares agoe and who, had he lived, would doe more than all the Byrns in Ireland. But I am sorry I can't supply his place being yett in my studies though neer the end. In the time we are in I am most bare in this country, so that if my goeing to Rome had done you any good it's out of my power for want of money to bear my charges. I am the fourth Mr. Connor pleased to enlist for Dunmore next May seven yeares allong with Mr. James Bourke under the tuition of Mr. Mullvey.

WILLIAM GIBBONS.

The following, which is of a later date, was addressed from some college in Spain—Madrid probably, to Father Bryan Macdermott a priest of the diocese of Elphin. The name of the writer also was concealed for obvious reasons:

3 May 1756.

Dear Bryan—I have no news to give you. I wrote to our friend Fr. O'Connor with a letter enclosed for you which I believe did not come to hand as you mentioned nothing about it in your letter. The number of masses I owe you are 144 but 'tis not my intention to oblige you with any only just what you can conveniently discharge and are compatible with your occupation.

I only require you to write after you settle at home and tell me how many you and father can engage that I may have the rest of them complied with here. If Patrick goes with you get him to say a parcell and pay him the charity by way of the gligs (*sic*) and that for his sauciness to me in his last letter. Perhaps you may get his companion Father Michael to say a few and also Don Miguel your own companion. The worst on't is that I have no retribution by this only the 50 Miss Beirne sent me. For the rest I owe since a wooden priest [i.e. one without faculties] when I discharged them without the proper application and was obliged by the blind Jesuit with whom I was at Exercises this past lent to discharge them over again. After your arrival please God write to me. Costello got a letter from Dr. Brett [bishop of Elphin] with bouden [bodings] what happened you not hearing from you. He tells me of your disappointments and desired his father to give you two guineas.

Old Ryan is a strong pretender for our College but will meet strong opposition. Surely you would be sorry such an old buck should fatten his wrinkled belly by the precious bread of St. George. Blind Peter is intayled in troubles as before but pray how can I help it if I did not prove an unloyal subject which I never will though stripped of the vicar. But Mick has no concern about his cousin Peter Marky for his bread is secure and he shall not be in the least woryed. Ryan came here to be examined in Grammar but the hearty lads only examined his teeth as they did with old horses [flesh] and sent him off with a pair of horns. Purcell, Landy, Kenney and Spruleen Knaven are his protectors but all the rest are quite against him, by which you may see the trouble the old man gave our house. I had a pair of old spectacles for him and desired he should conjugate your fathers verb *pario*. You may respond to our friend Fr. Connor and tell him I shall show his pall (?) all the civil offices in my power and that his recommendation is of greater service to the poor lad than all the letters he carried with him from Ireland; for if Ryan had but a few along with the Patrons who were very much prejudiced, he would infallibly carry his point. Dr. Carol got at length a Canonship in Cordova. This minute I'm dressed to march along with the rest to the Magdalena to take share of his splendid function, so my dear Bryan, I shall conclude without ceremony. Your own ex toto Corde. CARRINGTON.

The Proctor and Collegians join in kind wishes, and Mr. Costello gives you his kind service though somewhat jealous for not writing to him since you departed.

It will be observed that the applicants for admission to the colleges abroad being numerous, vacancies were not always found. The Augustinian provincial, Edmund Byrne, writing to "Johnson" at Garbally, September 7th, 1722, says:

I had an account and orders this day from beyond seas that we must receive no more novices in this kingdom till further orders.

Again next month, October 18th:

If you have sent any of the young men to the province of Andalusia they will not be taken by reason of the great number of ours that is there already. All Spain complains of us for receiving so many in this kingdom and so do all other countries.

Finally Cardinal Imperiali, Protector of Ireland, August 27th, 1724, reported a complaint made by some of the Irish bishops:

Several of the regulars in this kingdom admit young men to be novices without obliging them to wear religious habits or confining them to any regular place or discipline; that after the year of their noviciates they are admitted into profession and promoted to Holy Orders; that every guardian or superior keeps about himself two or three such novices.

The indiscriminate reception of novices had lamentable results. Father Mulligan, provincial, writes to "Johnson" 5th November, 1724:

To Casserly I gave no dismissories nor obedience to other countries since he was thoroughly incapable of being advanced to anything. I wish he was taken, to have all his theft out of his hands. The Breviary he stole was Mr. Martin's. I am sorry you did not see him to take from him the watch which certainly he stole from some boddy.

Again on 3rd September, 1725:

Casserly if he had been prosecuted by those he stole the goods from, had been hanged. So his sentence was to be banished to America as they tell me. Fahy was likely to be taken by warrants for abusing a man at a fair. He made it worse by wounding and beating the same man at his return from the fair. He is suspended by us.

Father John Dowdall who was elected provincial 14th July, 1730, adopted an effective if obvious method of checking the abuse.

PETER MULLIGAN TO "JOHNSON" GALWAY 22 DECEMBER 1730.

I wrote to Mr. Dowdall about Mr. Waldron whom you presented to me. Know then that he will have none received if first they lay not down fourteen pounds sterling besides what they spend upon themselves for their maintenance the first year—the which fourteen pounds are to be for their passing from this kingdom to places of study after their profession. The reception of any he not only forbids, but commands it shall be but upon that

condition. So that if Waldron has not the fourteen pounds to lay up in some hands that have nothing to do with him, nor can I further help him. He may expect the provinciall's own coming down which will be about May next.

It is to be lamented that of the routine life and work of the priests these papers afford no glimpse. The "station" at the farm house, the sermon by the patron well, the instruction of the children by the turf fire o' nights, the confirmation—at rare periods indeed—in the hills, all this was entered down in no human record. But when the ecclesiastical machinery went out of order, when there was scandal among the people, and the sanctuary polluted, then notice was taken and documents filed. Much therefore of the following, though characteristic of the time, deals with the rare and abnormal. Probably one of the first "chapters" held by the Irish Augustinians since the Reformation, is thus reported :

Acta Subsequentia statuta et stabilita a diffinitorio nostro Capitulo provintiali Dublinii celebrato die nono Junii Anno 1724.

1. Nullus priorum sub quovis pretextu assumat sibi potestatem recipiendi novitios nisi obtenta prius expressa provintialis licentia, a quo vel ab alio ab ipso specialiter ad hoc deputato stricte examinentur nec tunc approbentur, nisi grammaticas regulas et linguam latinam apprime calleant. Nec hoc sufficiat sine probabilissimo indicio bonae indolis, purae conscientiae et testimonio virorum indubitae fidei.
2. Quicunque falso incusaverit alium sive superiorem sive inferiorem aut aequalem, aut qui mendacii, perjurii aut calumniae reus fuerit sive per litteras ad quoscunque scriptas sive alias, infamis habeatur et sine ulla dispensatione juxta arbitrium provintialis aut sui immediati superioris puniatur.
3. Si quis frater nostrorum die a suo priore sibi assignato nulla urgente necessitate contempserit ad conventum revertere, apostata habeatur, et si ei rationes reddere de quaestu, elemosyna legatis piis aut aliis quocunque modo a fidelibus monasterio deputatis, noluerit, proprietarius judicetur.
4. Omnis prior in suo conventu ne se sinistram praebeat avaritiae (quae in nobis nominari non debeat) notam, ordinamus ut singulis saltem mensibus, si frequentius fieri nequeat, rationes reddat coram duobus Patribus de his quae quovis modo pro conventus usu aut fratrum sustentatione a quibusvis personis aut benefactoribus accepit. Sic pariter de expensis et an necessario fuerint in usum conventus exhibitae.
5. Qui tabernas nisi itineris causa aut alia premente necessitate, frequentant unde scandalum oriatur, rigorose et sine mora

gravibus submittuntur poenis, et si quis prior in hoc mandato exequendo negligens fuerit, ipse a provintiali non leviter puniatur.

6. Si quis in tantam cordis duritiam inciderit ut Dei et sui ipsius immemor, ecclesiae legum aspernator vituperatorque evadat contra ejus statuta clandestina administrando matrimonia, statim suo priore suspendatur et rigorosis ad ejus arbitrium subjaceat poenis, nec remittatur nisi a provintiali ad quem suus prior eum demandabit ubicunque eum comorari.

7. Cum prior provincialis ultra tam provinciam litteras R^{i} Generali Romae mittendas quam inde recipiendas pro specialibus nostrae provinciae negotiis soluturus sit 1 s.; pariter sine expensis regnum hoc circumire debito visitationis tempore nequeat, statutuimus ut quilibet noster conventus ei in qualibet visitatione viginti solidos anglicanae monetae solvat.

8. Statuimus et stricte praecipimus ut quicunque nominatus et electus ut prior alicujus conventus nostri in hae provincia sine mora aut quavis tergiversatione conferat ad eum sibi assignatum conventum et quo propius poterit comoretur ut omnibus innotescat talem ad nos pertinere.

Habeant omnes priores veras horum actuum copias in suis conventibus et saepius legi faciant coram P.P. et F.F. ne ignorantia praetendant in his quae observare tenentur.

Fr. Fran. Keley, Preses. Fr. Petrus Mulligan provincialis electus. Fr. Edmundus Byrne provincialis absolutus. Fr. Bern Leghanny primus diffinitor. Fulgentius Holahan, secundus diffinitor. Fr. Michl. Flannelly tertius Diffinitor. Nicholaus Dorkan quartus Diffinitor. Michs. Kerny Visitator. Pat. Beolan.

From these statutes it will be seen that not only were the bonds of religious life relaxed but the respective rights of seculars and regulars were obliterated. The eighth statute is particularly deserving of notice. From the days of Henry VIII. when Grey and Brabazon seized the monasteries, the Augustinians gradually disappeared until by the beginning of the seventeenth century they had become almost extinct. Later, in more peaceable times a few gathered in the neighbourhood of urban priories. Now as the penal era was passing away they began to make claim to places that had not known them for two hundred years. A prior would be named at the Chapter, and fortified with a missive from his provincial or maybe a brief from Rome itself, he came down to preside over a community that did not exist, and to take possession of a monastery the site of which was hardly discoverable. If as sometimes happened he was appointed to a parish in the district,

well and good. More often he set up on his own account as prior of some historic house and made claim to all sorts of forgotten jurisdictions. He quested for alms in the parishes which had once been annexed to the priory. This was admissible enough. But when he asserted his right to be parish priest of the rectories anciently appropriated to the priory, and when as such, he assisted at the marriages of the parishioners his pretensions were fiercely contested. The papers therefore in the Record Office throw much light on this unsettled period; they contain evidence of much misunderstanding, much bickering and of no little scandal. A few may here be given:

I do hereby declare that I have been a Collector of the alms and charity accustomed to be given to the friers and brethren of the Convent of Dunmore in the year 1684 and have collected for ten years in the parishes of Kilevoone and next parishes to it viz. Abort and Hanery and that in that tyme nor never since have heard anny reclaime or pretences to them parishes from the Augustinian friars of Gallwey vntil this present day. Given under my hand in Garbally this 15 day of September 1724.

FR. THOMAS MULLVY.

I do hereby Certify that the Parishioners of the inside mentioned parishes [enclosure missing] whatever Charity they were to give to any of the Augustinian family that it would be only to Mr. Owen Connor, because he lived amongst them now and that that was his former limitation, and by this means I lost most part of my last two collections. Given under my hand in Garbally this 6 day of february 1725. FR. MATHIAS TRECY.

Gallway 10 September 1732.

Rev. Fr.—I send you by the Bearer Terance Harran, Carrier, a small Roundlet full of good mountain, being a Spanish wine containing 8 quarts for the use of the Mass, which I make bold to present you with, as a small marke of my esteem for you which shall never lessen as long as I live but rather encrease. I am thoroughly persuaded of your good wishes and affection for me and my wife, and we both flatter ourselves that we participate of your prayers which we very much esteem and pray you'll continue to include us and our little ones for the future. Which I am sure is but what you are used to do. I send by the Bearer two Boxes Spanish [ ] weight 1qr 20 lbs which I gave him orders to deliver to Thomas Harran at or near Millick who is husband to Cate Callanan, Darcy's nurse. Jenny joynes me in a [commendation] to our Father Hamilton whose blessing we creave. Your affectionate friend and faithfull servant to command. PATRICK BROWNE.

The child Anthony taken ill since yesterday evening; he is hot and sicke. I hope it is from the teeth, and that he'll soon do well which the Almighty grant.
To Mr. James Madan at Millick neare Eyrecourt.

An Augustinian who had been falsely accused was the subject of the following somewhat grotesque epistle:

January 23 1725.
The Bearer Mr. Martin Kennedy being falsely accused in my behaf that he was a person who temerously did attempt to assist at the marryage of one of my flock and also when reprehended by me for the fact did objurgeously assault me with more vehemence than became a reprobate. Now dear and Rev. Sir I assure you upon the word of a priest and as I expect a share of perpetual bliss, he never to my knowledge committed the least fault in damnum parochi. He never did me the least indignity upon any occasion whatsoever.
ANTHONY FLYNN, P.P.

The archbishop of Tuam, Bernard O'Gara, was at this time known under the highly respectable and Protestant name of George Fowler.

Rev. Sir.—The Bearer Edmund White of this parish and Catherine Kelly of the parish of Killosope have been published here three severall times and no canonical impediment discovered why they should not be joyned in holy matrimony. Father John being now from home and Mr. Abbot being in Dublin I know of none in that parish qualified to perform this or any other Ecclesiastical office but your selfe. Wherefore if you please or think it convenient in the absence of those gentlemen to performe this office, getting your own dues, I believe you may safely do it. I am in all sincerity Your affectionate humble servant
November 18 1731. GEORGE FOWLER.

Patrick Brehon, alias Johnson, was a friar of the militant type. Ordained in 1685, he was educated in Spain whence as we find from letters from the provincial of Castile he returned towards the end of 1715. He was prior of Dunmore in 1721, and subsequently of Galway. By letter dated June 11th, 1723, the provincial, Edmund Byrne, removed him. Brehon who considered himself badly treated, contemplated an appeal to the general of the order, but whether the appeal was prosecuted does not appear. Some years later he was in trouble with the bishop of Clonfert. The latter complained to the provincial, Father Mulligan.

Very Rev. Father—Though I had no great encouragement from the last Request I made you, that you'll grant me another, yet before I proceed further I think fit to complain to you of one Fr. Patrick Brehon that styles himself prior of Dunmore who signed the following propositions in conjunction with two or three other friars that I have no acquaintance with. As for Fr. Brehon he had no opportunity to know my life and conversation and much less my sentiments of any Doctrine. I therefore desire that he will produce his proof of what he writes against me or else I shall not own him as Prior of Dunmore nor receive his obedience as such, but look upon him as one of the blackest of Calumniators. I must own my low circumstances wont allow me to stretch my hand often to the Mendicants but it's beyond exception true that no man of my station in Ireland has their interests more at heart and recommends it with more zeal and discretion to the pastors and flocks of this district than I do, and this is what I have for my pains. In a word Sir, I'll expect you'll do me justice before I send my complaint to Rome. Fr. Brehon will oblige the Church if he proves the truth of any one word that he signs against me. And if he does not, I think he renders himself unworthy of the place he represents. I expect your thoughts on this matter by the bearer and am in the mean time in spight of malice and calumny, Your very affectionate humble servant, CAR. KELLY.

September 14 1728.

1ª Propositio. De S. Scriptura in vulgari legenda promiscue.

2ª De Vulgatae corruptela, orthodoxis hic scandalosa et heterodoxis pergrata.

3ª De praecepto audiendi missam parochialem, et solo parocho vel alteri de ejus licentia in Paschata confitendi.

4ª De Indulgentiis effectu carentibus.

5ª De operibus satisfactoriis Absolutioni necessario praemittendis.

6ª De durante adhuc canonum poenitentialium rigore.

7ª De sanctorum invocatione et Rosario minus (ut putamus) reverenter tractatis.

8ª De papae definientis fallibilitate, in Hibernia ad hec tempora inaudita.

Denique de regularibus illustrissimis episcopis jure divino subjectis seu ab illis non exemptis et eorundem privilegiorum contemptu etc.

[Endorsed] To the V. Rev. fa. Peter Mulligan.

This appeal had the desired effect. Brehon was brought to heel and in his reply to the bishop he stated "By my subscription I never intended to level at you but that my only design was to stand in conjunction with other Regulars for such privileges are were granted to Religious Orders." The bishop wrote to the

provincial expressing himself satisfied with the justice done him, and stating his belief that Brehon was brought into the plot by Father Edmund Burke, a Franciscan. He required an admission of this fact from Brehon under his hand and seal. In a subsequent letter to the provincial he added that the statement "I was an enemy to Regulars is as false as if they had said I was at the battle of Preston." The action of the provincial was admirable throughout. But he had many a trial from Brehon.

Dear Sir—It's with near concearne and inward grief of heart I make some solitary reflections on part of the deplorable letter you wrote to me wherein you express, though in generall [terms] the so long continued jarrs and disagrements 'twixt you and your company there. And which I (pardon the freedom of a friend) do call both unseasonable and ungodly.

Unseasonable because at a time that we lie under the mercy of such as have power to extirpate us out of the land and whom, certainly considering our miscarriages and imprudent behaviour, we can call more our friends than we can ourselves if our passions will so blind us as to become our own enemies. Add to this that it is a time that our exemplary life should edify all. But what happens there destroys this—nay as you yourself must confess—must be a scandal and a stumbling block to them.

I call it likewise ungodly for while such a life is maintained how men can answer their calling, acquit themselves of their duty or exercise their function, is to me inconceivable,—to themselves I believe no less.

I conceive the healing of your wounds on both sides though never so deep, depends on your own prudence, on your doing these discontented parties justice in all points, on your showing them your paternal love and affection. Setting also that value on every one which in any way he deserves, far from making their defects more publick, to cover them from such as shall make you and them the subject of their scorn and derision. To admonish them with the bowels of piety and commiseration, moved by the zeal of God to your duty of superior therein. Not to be so easy in suspending them and that upon the most trifling occasion or lighter faults. Not to abuse them in the presence of seculars or miscall them in any place. To let them share in such habitations as may conveniently be given them and to which they are preferable before any seculars men and women. Of all those things and perhaps more they pretend you are guilty as I know by the letters of some of them which Mr. Byrne did me the honour to let me see. My advice as from your loving friend and servant is to study a reconcilement between yourself and them by satisfying them to your utmost power even though it

had been to your disadvantage. Father, if you give up your charge as you say; it will much redound to your discredit for the place you are in is worth to be noticed and the post you are in an honour to any of our company. You may be sure Mr. Byrne's heart aches to hear your case but the remedies at this distance not so easy for him, and you all know he cannot go there now. But he hopes soon to hear from you that your breach will be made up. And dear Sir pardon me in this one point yet, that it is too hard a case to send those obediences that you desire while the persons are under *mala fama* and publickly discredited (they'll say by you) though their own doings may be the occasion. But do you once restore them to something of a good name it's then easy to remove them con buona grazia. Man's reputation is too dear to him. Pardon my liberty and know it is only the effects of the benevolent affection of your most humble servant. P. MULLIGAN.

[Endorsed] To Mr. Owen Egan Merchant in Gallway to be forwarded to Mr. Johnson in the Co. of Mayo.

With these words so full of practical wisdom and fraternal charity this portion of our subject may be concluded. They leave on the mind a high impression of the men who held the helm of the Irish church in the times of storm.

CHAPTER VII.

ULSTER.

AS long as the forces of religious and racial hate which created the penal code, continued active—and this was throughout the greater part of the eighteenth century—the priests were at the mercy of every local despot or bigot who chose to put the law in motion. But there were particular periods when the laws were, so to say, in full blast; when the whole executive bent itself to the work, and the Catholic Church was driven as if, beneath the surface. Sometimes it was a threatened descent of the Jacobites, sometimes an unaccountable paroxysm of anti-Catholic fury. Thus in 1708, 1711-3, 1719, 1731, and 1743, in response to appeals from government, general war was levied on "the common enemy" —as the Catholics were styled by Parliament and Lords Lieutenant. At these periods county sheriffs, governors of gaols, magistrates, revenue collectors and others sent in reports and from them a tolerably clear view can be obtained of what was going on in the country. It is proposed in the remaining chapters to utilise these reports to illustrate the condition of the priests in the four provinces seriatim.

The number of priests who in accordance with the Act of 1703 registered themselves at the several quarter sessions in Ulster was one hundred and eighty-nine. Taking into account the population of the province at the period, the supply of priests was not inadequate. But in other respects the state of the church was deplorable. The long persecution seconded by the plantation of 1610 and the immigration of Scotch Calvinists at the close of the century, had almost completely destroyed ecclesiastical organisation and discipline. Except in Armagh there was no regular succession of bishops for long periods together. Down and Connor from 1675 to 1715 was under vicars. Clogher from 1687 to 1727, but for a brief interval of four years. Killmore from 1669 to 1728 was under vicars or administrators. Similarly Raphoe from 1661 to 1725. Dromore for the greater part of the period 1667 to 1731 was without

a bishop. Worst of all, Derry during a century and-a-quarter had no bishop, if we except Fergus Lea who was consecrated at Rome in 1694 and died there after a few months. The results are described in a letter of Macmahon, bishop of Clogher, to Propaganda in 1714 (*uu*). There was no regular provision for educating the clergy. Most of them had only received a hedge-school education after which they picked up from priests and others as much Latin as enabled them to be ordained and read mass. Some few, after ordination made their way to Paris for a smattering of casuistry. The register of 1704 gives in the entire province the names of six only who received orders abroad. But more lamentable than the want of education was the want of moral training in seminaries. Macmahon found in Armagh four vicars-general, each denouncing and excommunicating the others. When parishes became vacant each vicar nominated his own parish priest, and the two or more parish priests had of course each his own adherents, so there were rival congregations and altar against altar. As in Armagh so in the suffragan sees. Killmore had its four contending vicars, Derry two and so on. The people seeing the ecclesiastics torn by factions, took upon themselves in many cases to appoint their own parish priests ; and one of the greatest difficulties Macmahon had in the diocese of Clogher was how to deal with unworthy priests thrust into parishes in this way. The authorities at Rome were fully alive to the state of affairs but how to maintain bishops in Ulster was a problem not easy of solution. The Catholics, reduced to the condition of cottiers or of menial servants lay for the most part mixed with Protestants. Hence notwithstanding all disguises and precautions, it was almost impossible for a bishop to remain amongst them for any length of time, undiscovered. In 1704 when only two bishops were left in Ireland, one of them, the archbishop of Cashel, being bed-ridden, the situation was discussed between the pope, the exiled bishops, and the guardians of the "Pretender." It was resolved to send three bishops to Ireland. One was to be placed in Kerry, another at Kilmacduagh, the third at Killala ; there could be no question of settling bishops in the Ulster sees. And the wisdom of this was soon apparent. For the solitary bishop

(*uu*) Spicilegium Ossoriense II, p. 470-488.

in that province, Donnelly of Dromore, was soon tracked. In September, 1706, word reached the Lords Justices that a certain parish priest living in the mountains above Newry, and duly registered for that parish was in reality a popish bishop. Measures for his capture were at once taken.

Dublin Castle 3rd September 1706.

Sir—Judge Coote has recommended you to the Lords Justices as a person very ready and capable to serve their Excellencies in seizing of a popish Bishop his name is Patrick Donnelly he is tittular Bishop of Drommore and lodges at the house of one John Parlan who is priest of the parish of Killevy in the County of Ardmagh there fore their Excellencies have commanded me to acquaint you therewith and desires you will be as expeditious as you can in the execution thereof. I am Sr.

To Walter Dawson Esqre at Ardmagh.

yr most humble servt.
JOHN PRATT.

[Reply.]

Ardmagh 9 Sept. 1706.

Sir—I have sent one I could depend on to our mountain to get an account of patrick Donnelly that Lodges or Lodged with Priest Parlon and the said Messenger could not find that any such person ever lodged with the said priest but brings me an account that there is one Doctor Patrick Donnelly who lives within a short mile to Priest Parlon's house and the said Doctor Donnelly I find registered for part of the parish of Newry that lies in the county of Ardmagh. If this be the same person that their Excellencies are informed to be the Titular Bishop of Dromore I shall doe all that is in the power of man to cease [seize] him. I desire your favour to let me know their Excellencies' opinion if this Doctor Donnelly be the person that I must secure. Your answer by next post will much oblige.

Your humble servant
WALTER DAWSON.

Their Excellencies' answer was in the affirmative:

Dundalk the 15 of Sept. 1706.

Sir—Yesterday pursuant to their Excellencies commands I took Doctor Patrick Donnelly, Titular Bishop of Dromore at the foot of Slievegullin mountain in the County of Ardmagh whom I brought thoraugh a shoule [shoal] of papists to Dundalk, having none the least of the army with me. For my spies gave me a very speedy account where I could secure the Doctor, which I was not willing to omit and the time could not allow me to send their Excellencies' orders to the commanding officer of Dragoones at Dungannon. I had the faithfull promise of Captain Briser who commands at the redout near Newry to supply me with

a Sergeant and twelve men upon which I went off and ceased the Doctor and immediately after I dispatched an express to be a guide to the said souldiers to me, and stayd in the mountains at least five howres for them but the Captain was soe unkind as not to send me one man, which was like to be of ill consequence; for all the roads that I was to carry off the Doctor thorough was filling with the mountayneers and about one howre after, I came to Dundalk I sent for Mr. Lay a Justice of Peace to come to me who was with me early this morning to whom I applied to send a Mittimus with the Doctor to gaole. He accordingly did when I waiglled (*sic*) the Doctor and left him in custody. I shall waite in this town till I receive their Excellencies' further commands, if any more be requisite for me to perform. If their Excellencies would have the Doctor up to Dublin I shall reddily oblige their Excellencies' commands. Direct to me by next post to Dundalk and oblige,

2ⁿ Reward? Your most humble servant

To John Pratt Esq. Secy. at Warr. WALTER DAWSON.

The endorsement is "Doctr to be examined whether he is registered and to be kept a close prisoner." This was done in due course.

According to your directions I brought Mr. Leigh a Justice of Peace who examined Doctor Donnelly whose declaration is as followeth before Mr. Leigh.

The declaration of Patrick Donnelly of Killevy in the County of Ardmagh saith that he is in priests orders and that he is registered parish priest of the part of the parish of Newry that lies in the County of Ardmagh. Saith he never received any other orders than priests' orders and never exercised any jurisdiction other than belongs to the priest's office and further saith he never took upon himself the title of a Bishop, neither did he perform any office that particularly belongs to the office of a Bishop.

Taken before me the 19 of September 1706.

JA. LEIGH. PATRICK DONNELLY.

Seeing that Donnelly had been appointed by the pope to the see of Dromore as far back as 1697 this declaration is at first sight, startling. But the truth appears to be that owing to the troubles of the time he had never been able to obtain episcopal consecration. A similar case was that of Ambrose Madden appointed bishop of Killala 1695. He was not consecrated until 15th April, 1714, and then only by one bishop as two assistants could not be had. The Dublin authorities however were not satisfied. Were not papists deliberate perjurers, and that by papal dispensation?

Accordingly Dawson was again written to, to make an exhaustive search for the bishop's papers. He replied from Armagh 23rd September that he would spare no efforts to secure the "Doctors Trunckes" but that he now required a posse of twelve dragoons. Whether he succeeded in the search or not does not appear, but in the event government was assured that they had a real live bishop. Every effort was made to obtain evidence against him.

On 6th November a writ was issued by Sir Richard Pyne directed to the sheriff of Louth to produce the body of Donnelly at the King's Courts, in Dublin, the Wednesday next after the Octave of St. Martin. To this circumstance we are able to trace the further proceedings in the Queen's Bench records. From the "Rough Rule Book," the Indictments and Informations, the following particulars are gleaned :

Saturday, next after the Octave of St. Martin 23 November 1706.	Patrick Donnelly. [On the motion of Counsellor] Bernard—brought by habeas corpus. Let him be committed to the Marshalsea prison.
Monday in the quinzaine of St. Martin 25 November 1706.	Patrick Donnelly—To be bailed unless cause shown Thursday next.
Thursday next after the quinzaine of St. Martin 28 November 1706	Patrick Donnelly traverses in custody. The same. Let him be tried second Friday next term. The same. Let him be committed as before. Let him be before the Judge, on the motion of Bernard.

The crown was in difficulties ; the only evidence obtainable being the following :

The Examination of John Duffy. The said Examinat being duly sworn and examined saith that he has for several years past known one Doctor Patrick Donnelly, Titular Bishop of Dromore in the North of Ireland which said Patrick Donnelly this Examinat believes and is creadibly informed is now in Dublin. This Examinat was present in this kingdom att a certain place in the North of Ireland in the year 1700 and saw the said Doctor Patrick Donnelly ordain and make severall priests or put severall persons in orders of priesthood according to the ceremony of the Church of Rome and this Examinat knows the said Patrick Donnelly is a Papist and verily believes he is a Bishop of the Romish

Religion for that he the said Patrick Donnelly did wear a mitre and habit of a Bishop in the year 1700 when he did ordain and put in orders severall persons as aforesaid. Jurat coram me 28 die Novembr 1706. JAMES MACARTNEY
John Duffy etc.

But there were hopes of obtaining some corroboration of Duffy's story. Early in the following year Dr. Donnelly was put forward again.

Monday in the quinzaine of St. Hillary 27 January 1706[7]	Patrick Donnelly. [On the motion of] Sergeant Saunders. ffryday sevenight for trial.

From the following it appears that the hope of a conviction was lessening :

Monday within the Octave of the Purification B.V.M. 9 February 1706[7]	Patrick Donnelly. [By consent of] Attorney General —to be bailed. First ffryday next term to be tried.

The bailsmen as we learn from the Recognizance Book were :

Patrick Donnelly in Carriganalla Co. Ardmagh £1000.
Daniel McEnnis of Castlewellan Co. Down .... £500.
Richard Reddy of the City of Dublin gentleman £500.
Edward Fitz Gerrald of Peasetown Co. Westmeath £500.

No further evidence as to Donnelly's ecclesiastical status could be obtained and so he was brought to trial at last.

Wednesday next after the quinzaine of Easter 30 April 1707.	Patrick Donnelly. [On the motion of] Attorney General. Tuesday sevenight further for his trial.
Tuesday next after the Month of Easter 13 May 1707.	Patrick Donnelly. Not guilty.

With the imprisonment of Donnelly the hierarchy of Ulster *de facto* came to an end. On the 21st September 1707, it ended *de jure*, by the death in Paris of the archbishop of Armagh. As "Coochonoght alias Dominick Maguire, Titular Primate," he had been outlawed in the counties of Fermanagh and Louth at the time of the Revolution and had not dared to return. The question therefore of appointing bishops in Ireland had to be considered anew. The county Monaghan was central in Ulster and sufficiently

Catholic to afford fair shelter for a bishop. Doubtless this fact influenced Propaganda in filling the see of Clogher. The choice fell on Hugh Macmahon, Canon of Cassel in Flanders, and it was resolved to ignore the "Pretender's" right of nomination lest any mention of that fact in the Brief, might imperil Macmahon's life in the event of his capture. Appointed 15 March, 1707, and consecrated abroad he only succeeded in reaching Dublin towards the close of the following year. By changing name, abode and disguise, he managed for three years to outwit the priest hunters. In 1713 he was appointed to the primacy, an office which of course made him more obnoxious and multiplied his dangers. At last the spies got on his trail and so the executive itself set about his capture.

Dublin Castle 25 October 1712.

Sir—The Lords Justices and Council having received an Information that the titular popish Primate McMahon is lately come into this kingdom from Flanders and now resides at the house of Cullogh Duff McMahon near Carrickmacross their Excellencies and Lordships have commanded me to acquaint you therewith and to desire you will immediately take such numbers of persons as you shall think necessary and proper for that service and cause the said Primate to be apprehended and committed to Gaole and his papers to be sealed upp and sent to the Council Board and that you will give their Excellencies and Lordships an account of your proceedings therein

I am, Sir, Your most humble servant,

J. DAWSON.

To Capt. William Barton one of her Maiesties Justices of the Peace at Thomastown neare Dundalk.

The magistrate lost no time in the hunt but the cover was drawn blank.

Thomastown October 30 1712.

Sir—I was favoured with your letter of the 25th and pursuant thereto I went with a party and all secretly by moonlight to Cullogh Duff McMahon's house about three miles from Carrickmacross and diligently searched it and every out house and crate [creaght—cattle byre] near it but met with no such like person as you write of and only three or four poor labourers and some women and Cullagh Duff on a straw bed with napy blankets and sacks stuffed with straw for a Bolster who reddily got up and with lights we looked in every place for papers under the pretence for stolen goods that we heard were brought thither and I believe they will think that was the occasion of our going

thither and if the person you mention did ever lye there he would have some more decensy of a lodging than any was there. Of which pray inform their Excellencies and Lordships

from Sir your most humble servant,

dunleir not dundalk is my post town. WILLIAM BARTON.

This was very disappointing to their Lordships. But now an experienced priest hunter appears upon the scene.

Dublin Castle 8 Nov 1712.

Gentlemen—The Lords Justices and Council having received Information upon Oath that the Titular Bishop Primate McMahon resides in the Counties of Louth and Monaghan and that the Bearer hereof Edward Tyrrell can apprehend him in case he be assisted by the Justices of the Peace and Gentlemen of the Country. Their Excellencies and the Privy Council have commanded me to signify their pleasure to you to give your best assistance to Edward Tyrrell and to send with him such a number of men as shall be sufficient to apprehend the said Primate McMahon and when taken to commit him to the County Gaole and as their Excellencies and Council do not at all doubt your affection for her Maiestie's service soe they hope you will exert yourselves upon this occasion in the apprehension of the said Titular Primate and send an account of your proceedings therein.

I am Sirs Your most humble servant,

J. DAWSON.

To her Maties Justices of the Peace in the Counties of Louth and Monaghan.

Tyrrell escorted by a number of the local gentry made various peregrinations and succeeded in capturing several priests. The elusive Macmahon however again escaped, and continued as before to exercise popish jurisdiction, so their lordships had reason to know. In 1720 the most determined attempt was made to capture him—this time at the instigation of apostate priests. The whole diocese town and country was scoured, every hiding place that his prosecutors could suggest, was searched. It was vain to protect himself from the enemies of his own household, and so the hunted primate had to fly the district and secret himself in a distant part of the province.

Besides the bishops, the vicars and others exercising jurisdiction in the pope's name gave much concern to government. The following will illustrate the proceedings in a diocese the history of which at this period is somewhat obscure:

Downe October 8 1712.

Sir—In pursuance to the Order of the Government Major Morise and I issued our warrant to apprehend one James Hannal whom we look upon to be the most dangerous Priest in this County and if he could not be found, to secure his papers. And that no time might be lost, we sent [a party] to secure him the very night after the Proclamation came down. He did not lye at his house that night nor has he appeared in this country since, but they brought his papers. Some of these show that he had great auctority among them but I send you the copy of one that plainly shows jurisdiction. It is in these words :—

Dominis Patritio Pray, Jacobo Magee, danieli Lea, Edmundo Grady, Ricardo Tegart, Patritio Bern, Muriarto Krachry, Patritio Moylan etc. Omnes et singulos admonitos esse volo et in virtute Spiritus Sancti et sanctae obedientiae sub poena latae sententiae, apud aedes Danieli Magenisse inter nonan et decimam horam die Martis 22 instantis Januarii Ann. 1711-2 adesse vos omnes volo et jubeo ut testatur manus mea. Ja. Hannal.

hac die 14 Januarii 1711-2.

Now you may observe that they are summoned (they are priests) under penalty of the holy obedience and of being ipso facto excommunicated. Which shows plainly that he exercises Ecclesiasticall jurisdiction yett I believe is only a vicar generall but not Bishop. I took this morning the Examination of Daniel Mackey who swore that there was a meeting of all these persons at his house which is a publicke house, in January but could not swear to the day, so that there was not only a summons but a meeting pursuant to it, which gives great auctority and weight to the paper. I have this morning taken two Examinations against the same Hannal for saying mass in Michaelmas day last, from persons present, and the Examinations are at this time before the Grand Jury who are good men and will certainly make a proper use of them. Necessaire business obliges me to go straight to the County of Ardmagh and cannot stay till the close of the sessions, but you may depend upon it that the gentlemen of the bench and Grand Jury will answer the expectation of the Government. If the Government shall think fitt to send any further instructions relative to James Hannal or the other priests they will find a ready compliance to their commands from all the gentlemen in this County and particularly from Sir, Your very humble servant

To Jos. Dawson. HEN. MAXWELL.

The magistrate was as good as his word:

Downe February 2 1712-3.

Sir—I formerly gave you an account that I sent to search for one James Hannal a priest whom I had reason to believe exercises Ecclesiasticall jurisdiction in this Diocese and the most dangerous

priest in all this County. I am now to acquaint you that he is taken and Major Morrise and I have sent him to the jaile with a Mittimus. This Morrise and I are desirous to know the sentence of the Government how we are to behave ourselves on this occasion and if he be bailable what bail we are to take. I must tell you that the Priests in this country are very much alarmed and disturbed at his being taken and so exasperated at the man that took him that I have been obliged to give him arms to defend his house from their insults. The sub sheriff has been been with me since the Priest's confinement and told me that he had clapped a new arrest upon him for marrying a couple of our church clandestinely which crime I leave to the Government whether it be bailable. I waite your directions.

Sir, Your very humble servant

To Jos. Dawson. H. MAXWELL.

When there was so dangerous a priest there could be no question of bail, and so Hannal was imprisoned until sent forward to the assizes. Nearly two years later we get the last account of him from the gaoler of Downpatrick.

Down Patrick 2 Nov. 1714.

Sir—Yours I received of the 23 of October. There is no one in the Gaol of the County of Down under sentence of Transportation but one James Hannal a popish priest. He has layn in Goale about fowerteen months and has been about halfe of that time under the sentence of Transportation. George Lambert Esq. one of the Justices of the Peace and I have used our endeavours to have him put off and have had him severall times att Portaferry but could gett noe shipp that would receive him. We shall do our utmost to gett him transported as soon as possible we can. Your most humble servant

ROBT. JONES.

About this period all sorts of reports were circulated of Jacobite plots. The priests were supposed to be the principal conspirators. When evidence of this was not obtainable recourse was had to the old methods.

Dear Brother—This is to let you know that I received a letter from our friend the Nuncio from Rome whence I have a full account of matters abroad. Thank my Jesus, now his most Christian Majestie hath let our King have 50 thousand pounds and 30 thousand arms which will be very soon remitted to us that we may be able to assist to settle him upon the Throne of England. I hope it will be done to that effect that never it shall be in the power of any damned heretick to give him the least trouble hereafter—our hope while the world stands and the glory of all the Roman Catholicks. I hope now we have a fair

opportunity to begin and give the blow. The Queen is to get her Dosse very soon, the great minister of State in England who has all at his own designe, hath prooved true, very faithfull to our People in all matters since he came to that Honour which I hope he will receive the reward of a faithfull servant. I'm told by good hands that the Duke of Marl will be soon put out of the way which will make things the better for us. I wish he and all his Party were damned which in a short time I hope they will be sent to Eternity. There is in England 600 Commissions come over lately but in my next you shall know what they are. My time will not permit me to let you know what we agreed upon. When I was at the general Meeting in Conaught only this [month?] 700 gentlemen have signed the matter and it's gone over. The answer I hope we'll have by the end of January at farthest. You may communicate this to our friends and let them be ready at the fair warning which depend upon it you shall have from me. Which being all my time will allow me to say at present only my duty to all my Brethren in your Country I rest your affectionate Brother.

J.M. Jany. 14 1711-2.

For Father Murphy at his lodging in Cavan.

Priests having the habit of carrying such documents loosely about them, it was duly dropped and duly picked up as appears from the endorsement "Copy of a letter dropped at the Four Courts Recd 4 ffeby 1711-2." It was at once transmitted to Secretary Southwell and communicated to government. The Council discussed it and compared it with the hundred other cock-and-bull stories. These all helped to confirm one another, that every ecclesiastic in Ireland was in the pay of the Pretender. Accordingly during the closing years of Queen Anne's reign the priests were kept constantly on the run. The sheriffs, mayors, and others had instructions to acquaint the executive with the steps taken to carry out the law, and so the particulars we have of these years are sufficiently ample. From Derry, William Wotton, mayor, wrote 12 June, 1714:

We do not find any papists that have sent their children abroad for fforeign education or any of the Popish Clergy exercising ecclesiasticall jurisdiction or officiating as popish priests except one who we are informed hath lately officiated within the [City] Liberties and we hope to have him in custody in a few days.

This was followed on the 25th by a letter from the high sheriff Alexander Squire, that the magistrates of the County had held a

secret meeting (lest the Papists should learn of their proceedings) and that measures were concerted to seize on the popish priests in the several districts. But already the priests were forewarned. Thomas Lawson, Richard Downeing, and James Grattan write from Magherafelt, October 17th, 1712:

> We met at Ballaghy the 3rd instant and issued summons to the severall Popish registered priests in our Barony to appeare before us this day to take the Oath of Abjuration; they being six in number. It has appeared to us that three of them are really sicke and not able to travel but they sent us assurances they will as soon as they recover, and on a day appointed by us, appear. These three are Hagan, McKeever, and McNimee. Brullechan and McGrath sent us the inclosed letter [missing], and McRory neither did appear nor sent any excuse. We have adjourned and hope they will come in except McRory who we believe will stand out.

McRory had indeed previously given a taste of his fibre. Dawson, a local magnate, wrote to his brother the Dublin Secretary, enclosing a letter from William Jackson, Seneschal of Draperstown, 22nd December, 1710. There have been proceedings, writes Jackson, in our manor court against Preist Terence McRory and his nephew James McRory, and their goods were taken on distress. They appealed to Mr. Mulholland, the sub-sheriff, and so recovered the goods. But at the assizes an order was made by the judge to return the goods and he promised to do so. McRory still holds the goods.

> This prest lives in the Manor of Draperstown and parish of Ballyneescren, who publickly says mass and officiates as popish priest, is very rich and thereby countenanced by some persons. If you think fitt to lay before your brother to send down an order to Captain Downing to summons in this spark Preist McRory to take the Oath of Abjuration and prevent him from officiating as Preist it will quiet that Gentleman. This is the head of this McRory's Impudence, Insulting over me as Seneschal.

The proceedings in the adjoining county of Donegal we learn from the successive high sheriffs. Peter Benson writes from Beadstown, 4th March, 1711-2:

> I received yours of the 26 February and will observe the government's commands in apprehending the popish priests in our County to the utmost of my power. I will take care to secure

the priests in the two Baronies of Boylagh and Tholme, being next to Connaught, and will proceed with all expedition to secure the west.

What number of priests was captured we have no means of knowing, but some years later they had become more wary. The sheriff George Cary wrote 5 November 1714:

There has been due care taken in this County to apprehend popish priests that do officiate, not having qualified themselves according to the statute. But as yett none of them have been taken being nott to be found.

Fuller details are forthcoming from Fermanagh. On 10th June, 1714, Mervyn Archdale acquaints their Excellencies that he will appoint a private sessions of the magistrates of the County "to find by Inquisition" the effectual way to enforce the Acts against the popish clergy. Thirteen days later he again writes:

Ennis Killen 23 June 1714.

Sir—It was found on enquiry that the severall persons hereafter specified were inhabiting the said County contrary to the laws and we have ordered attachments against them, and design to use all lawfull wayes and meanes to bring them to Justice.

MERVYN ARCHDALE.

A list of the severall priests found inhabiteing in the county of ffermanagh contrary to Law, the 22 June 1714.

1. Charles McGealloge priest of Cleenagh parish, Registered but not taken the oaths.
2. Doctor McKue priest of Killasher, Registered but not taken the oaths.
3. Patrick Murphy priest of Aghuveen, Registered but not taken the oaths.
4. William Roe o Hoyne, Enniskilling, Registered but not taken the oaths.
5. Patrick McLinan, Inis M'Shane, Registered but not taken the Oaths.
6. Terence Moor Connelly, Cloonish, Registered but not taken the Oaths.
7. Dominic McDonnell formerly a frier officiating in Drumcully, priest not registered nor taken the Oaths.
8. Owen McDonnell lately come from France or elsewhere, officiating in said parish not registered nor taken the Oaths.
9. Hugh McHue a frier, Curate and assistant to Doctor McKue aforesaid in Killaster parish not registered nor taken the Oaths.
10. John Drum priest in Kinaulty, Registered but not taken the Oaths.

11. —. Shenan a ffrier in the said parish not registered nor taken the Oaths.
12. Roger McGuire a fugitive priest not registered in said parish
13. Bryan Ban Cassidy alias Treassy a friar officiating in Killastere, priest not registered nor taken the Oaths.
14. Maurice Cassidy priest Derryvullan. Registered but not taken the Oaths.
15. John Roe McGuire parish of Maghrisculmony Registered but not taken the Oaths.
16. Turlagh Linan priest of said parish Registered but not taken the Oaths.
17. Donagh McGuire priest of the said parish Registered but not taken the Oaths.
18. Art McCullyan prior of Logh Darge in the County Donnygall and priest of Teinplecarn in the County Fermanagh Registered but not taken the Oaths.
19. Edmund McGraw officiating in the parish of Inis McShant and came from beyond seas not registered nor taken the Oaths.
20. Philymy Cassidy, priest Divinish parish, Registered but not taken the Oaths.
21. Edmund McLinan priest of Boho parish Registered but not taken the Oaths.
22. Hugh roe McGuire a Dangerous person left the County of late.

Bartholomew Morrish
Hugh McGuire
— McGuire
Patrick ffodaghon
Hugh Brine
James McCaffrey
Thomas McGuire
Owen Ballaghan Cormuck
Phylimy McCarbery
Christopher fflanagan
} School Masters.

That the sheriff and magistrates were not merely content with making reports to headquarters would appear from the following :

Co. ffermanagh I, David Gibson, Gaoler of the said County acknowledge to have received from Edward Noble, sub sheriff of the said County the body of Philimy McGuire pretended popish priest of the parish of Aghalurcher.
Dated 11 March 1711-2.

In the other counties the authorities were equally active. On 12th June, 1714, the High Sheriff of Antrim informed Dawson that he was summoning the magistrates to consult how best to deal with the popish priests. From the towns came similar accounts. Samuel Davys, mayor of Carrickfergus, writes on the 23rd :

As we have no popish priests inhabiting the said county, I know of none that is not registered who does officiate as parish priest here nor of any Regulars of the Popish Clergy who execute any ecclesiasticall jurisdiction.

The reply of the mayor of Belfast at an earlier date deserves to be set down in full.

Belfast March 24 1707-8.

Sir—In obedience to the Proclamation issued by the Government and Council I immediately issued a warrant against the Popish priest within my jurisdiction as Mayor of Belfast. The Priest whose name is Philemy O'Hanel immediately upon the first issuing of it, being Ill, wrote me a letter that he would surrender himself vnto me and as soon as he was able to come to town, would wait upon me. Accordingly he came upon Monday last and stayd in the town till I came home and hath this day surrendered himself to me. I have putt him into our Towne Gaole and desire you would communicate this account to their Excellencies the Lords Justices, where I intend to keep him vntill I know their further pleasure. His behaviour has been such amongst us since, and was upon the late Revolution so kind to the Protestants by saving severall of their Goods in those times that I had offered [to] me the best bail the Protestants of this county afford. However the Proclamation being positive and no discretionary power left in us I would not bail him. Thank God we are not under any great feare here for upon this occasion I have made the Constables return me a list of all the Inhabitants within this town, and we have not amongst us in the Town above seaven Papists and by the return made me by the High Constable there is not above one hundred and fifty Papists in the whole Barony. Favour me with an answer to this with the Governments pleasure therein.

I am, your humble servant,
GEO. MACARTNY.

The Council however was inexorable. Dawson's endorsement is "let him leave him for the present where he is."

Coming south, the mayor of Drogheda, Henry Smith, writes, 21st June, 1714, that he has taken sworn informations, and thereupon issued warrants against the priests and more especially against one George Peppard a Popish priest lately come into the kingdom. On the same date Edward Bond the sheriff of Armagh, wrote that he had made all enquiries but

There was no information of any regular of the Popish clergy lately comd (*sic*) into this County or remaining in it.

Perhaps the activity of the magistrates previously had something to say to this.

Armagh October 4 1712.

Dear Cousin—Upon the coming down of the Proclamation to put the law in force against Priests and others of the Romish Religion my Lord Anglesey was here to whom it was represented by my brother that there was in this County the Popish Dean of Armagh upon which my Lord Anglesey told my brother he would not do greater service than to apprehend him. My brother told him that it would require ten or fifteen pounds to sett him. His Lordship assured my brother that he would get him that money from the Government if they were sensible it was laid out in that service. My Lord Anglesey went in a day or two after to view his lands in Tyrone and in that time my brother goes and takes this Pretended Dean who is ninety years of age, has been of a long time bed-ridd as they call it and in short has lost all his senses and is the most miserable wretch as he now lies in Gaol that ever was seen. This is so far from being a service to the Government (which I am sure will never countenance any Acts of Inhumanity) that it will doe very great disservice to Protestants abroad that live under a Popish Government for no doubt the Roman Catholicks abroad will have an account of this from their friends here and we, if in their circumstances would think such an act as this very cruell. Had this wretch been an active stirring man then I think the service had been good. Or even old and had his reason and even a Bishop he might have done mischief in ordaining Priests but in his present circumstances would rather be relieved than feared by any people in power. He has lain (to the knowledge of all the neighbourhood) within a musket shott of this town in a miserable condition and relieved as a reall object of Charity by all sorts of professions amongst us and when that was brought to him he was fed with it like a child, having turned a perfect Idiott.

For God's sake, Cousin, if you have any influence over my Brother persuade him not to do such things for money which brings such an odium upon him and a reflexion to his family. For every body here does cry out upon him for it, and says it is the reward my Lord Anglesey promised to get, put him upon this, for that he might have taken this poor wretch every day this yeare past.

I doe not think this creature can be proved to be a Dean, he being tried as I am told in Charles the Second's time and since the last war of Ireland for being one and both times acquitted.

Your real obliged kinsman

To Jos. Dawson, etc. THO. DAWSON.

Incredible as it may appear this appeal fell upon deaf ears. The old man however miserable and idiotic, was a Popish dean and had as such continued in the country for fourteen years in

defiance of the law. There was no condoning the offence. In jail he had to remain until five months later the end came.

At an Inquest held the 13th of February 1712-3 upon the Body of Bryan McGork, Gentleman, Lying Dead in the Gaole of Armagh committed by Mittimus from Walter Dawson Esqr. one of her Majesties Justices of the Peace of the said County upon account being a Romish Dean.

Gentlemen—You are Dilligently to enquire how and in what manner Bryan McGork now being Dead in the Goale of Armagh came by his Death and make a true Verdictt thereof to me under your hands and seals.

We present and find the above Deceased Bryan Magourk being committed by the above named Walter Dawson Esq. to the County Goale of Armagh did die his owne natural Death by age and Infirmity of nature. Given under our hands and seals this 13th February 1712 (twelve).

Thos. Field	William Neilson
Thos. Reid	Patt Horld
William Hamilton	William Gunoll
Rob^{t} McConehy	Hugh Blane
Walter Master	Bryan Hugh
William Toole	James McDonnell
William Geough	Jo. Fisher

Copia Vera Will. English D.C.

The foregoing was sent to Dublin Castle with the enclosing letter:

Armagh June 9 1713.

Dear Cossin—The 24th of September last in obedience to the Government Proclamation I ceased doctor Brian McGurke popish Titular Dean of Armagh and had full information and witnesses to prove him such, and committed him to gaole where he continued till the 13 of February on which day he dyed as appears by the Coppy of the inclosed inquisition.

WALTER DAWSON.

He concludes by requesting payment of the £50 being the reward for capturing a Popish Dean according to the scale settled by the statute. Doubtless a Concordatum for payment issued in due course, for the service was a very notable one.

At this period indeed so efficiently had the laws against priests been worked that Catholic worship in Armagh appeared a thing of the past. Accordingly the second stage of the movement for Protestanting the people was entered upon.

When most of the popish priests of the kingdom refused to take the Oaths appointed by Law to be taken by them, they being thereby made incapable of officiating, My Lord Primate thought it might then be a very proper opportunity to endeavour the conversion of the Irish papists and to use all means to bring them over to the Established Church, and having communicated this intention to the clergy of the Diocese of Armagh they unanimously agreed that no time could be more proper to begin the work than when (as was it thought) the popish priests would not by reason of the aforesaid incapacity any more officiate. It was the opinion of my Lord Primate and his Clergy that the most effectuall method for the conversion of the Irish would be to send some ministers of the Established Church amongst them who were well skilled in the Irish language to read the Scripture, Common prayer and to preach to them in the language they understood. To promote the good work the Lord Primate and his Clergy subscribed about £130 per annum for the support of such ministers and accordingly some who were thought sufficiently qualified were sent to preach, read prayers and the Scriptures and instruct the Irish Papists of the Diocese of Ardmagh in their own language and had rules and directions given them for their behaviour in their missions. These ministers on their first setting out found the Irish very well disposed to come and hear them and be instructed by them, and sometimes above 200 persons have attended at prayers and sermons, and behaved themselves very decently with great attention and seeming devotion and did express great satisfaction for having prayers and the Scriptures read and explained to them in a language they understood and assured the persons sent to instruct them that they and a much greater number would attend them when next they officiate. The popish priests having notice of these proceedings did with great industry apply themselves to the natives and forbid them upon pain of damnation to goe any more to hear these ministers officiate and in a solemn manner published excommunication against them if they should so do and to prevent them attending these ministers in celebrating divine offices, the priests said mass in most of the parishes in the Diocese of Armagh and have by this means hindered the Irish papists from receiving the instructions designed for them and which they seemed so willing to receive and have by these methods rendered in a great measure the good design of converting the Irish ineffectuall.

It was clear that until the country was rid of the priests all such missionary enterprises were doomed to failure. The following from the County Cavan was probably a surer way of getting at the priests than any rewards to informers however great:

Co. Cavan.

At a general Quarter Sessions for the Peace held at Cavan in and for the said County the 26 day of April An. Dni 1715. It was presented by the Grand Jury Impannelled and sworn at the said Sessions. That whereas the severall popish priests in the said County hereunder named and who was (*sic*) registered and entred into Recognizances that they or any of them should appear before the Government and Council at any time when required or summoned as may more fully appeare by a true copy of their Baile bonds annexed.

Now for as much as the said severall Registered priests have neglected to come in to take the Oath of Abjuration notwithstanding summons and warrants have been often granted against them and they or any of them refusing to appeare and who shuns (*sic*) being apprehended by the said warrants. And for as much as by the tenour of their said Baile bonds or Recognizances their said severall Bailes cannot be obliged to bring in the severall priests as they became baile for unless due summons or legal proceedings offer from the Government or Council whereby to require the said severall baile persons to bring in the severall registered priests and to issue such orders as will oblige the said priests to appeare either at the next Assizes or next General Sessions of the Peace to be held for the said County. And in case they should not appeare that due method might be used to estreate the severall Recognizances against the several Baile aforesaid. And humbly request that this presentment may be laid before the Government and Council.

Examined per JA MAGRATH D. Cl. P. THO BAYLY cum Sociis.

Recognizances taken by order of the Government before Charles Mortimer Esq. the sheriff of the said County the 16 day of April Anno 1708.

No.	Preist's Name.	Parish for which they are Regd.	The names of the Baile.
1.	Edmund Magaghran	Dromlone	cognovit se debere Dom Reg in £100 Hugh Parker de Ardane in Co. pred £50 patk Clery de Rogerii in Co. pred £50
2.	Hugh Brady	Dromgoone	Cognovit etc. £100 William Small de Cavan in Co. p. £50 Denis Brady de Cavan in Co. pred. in £50
3.	Phillip Tully	Kelmore	Cognovit etc. £100 Samuel Dyos de Cavan in Co. pred. gen. in £50 Roger Smyth de ead gener in £50

No	Preist's Name.	Parish for which they are Regd.	The names of the Baile.
4.	Patrick Brady	Driny	Cognovit etc. £100 Johes Dunningan de Cavan in Co. pred. gen. in £50 Denis Brady de Corvoggin in Co. pred. in £50
5.	Connor Reilly	Annagh	Cognovit etc. £100 Thomas Naully de Cavan in Co. pred. in £50 Terence Reilly de Kilduff in Co. pred. in £50
6.	Bryan Reilly	Killeserdinen	Cognovit etc. £100 Edward Lernan de Cavan in Co. pred. in £50 Johes Donegan de Cavan in Co. pred in £50
7.	Daniell Reilly	Knockbride	Cognovit etc. £100 Connor Reilly de Dromkilly in Co. pred. in £50 Phill. Reilly de Rallaghan in Co. pred. in £50
8.	John Garrigan	Moybolge	Cognovit etc. £100 Chas Mcfadden de Quilkagh in Co. pred. in £50 Patk. McCabe de Lislea in Co. pred. in £50
9.	Thomas Clery	Killen	Cognovit etc. £100 Chas. Mcfadden de Quilkagh in Co. pred. in £50 Edmd. Clery de Curkis in Co. pred. in £50
10.	Mathew Shereene	Monterconaght	Cognovit etc. £100 Cornelius Donnellan de Virginia in Co. pred. in £50 Garret fitzSimons de Corneduff in Co. pred. in £50
11.	Walter Dace	Kelbride	Cognovit etc. £100 Connor Reilly de Dromkelly in Co. pred. in £50 Oliver Newgent de ffarenconell in Co. pred. £50

No.	Preist's Name.	Parish for which they are Regd.	The names of the Baile.
12.	Patrick Sheridan	Killyanagh	Cognovit etc. £100 Alex. Johnson de Kellyshandra in Co. pred. in £50 Gerald Masterson de eadem in £50
13.	John Smyth	Lavey	Cognovit etc. £100 Roger Smith de Cavan in cod Cornite £50 James Smyth de Dromhulla in Co. pred. £50
14.	Edmund Degany	Templeport	Cognovit etc. £100 Loughlin Smyth de Omard in Co. pred. in £50 Thos. Reynolds de Cornagunlen in Co. pred. in £50
15.	Owen Doad	Lavey	Cognovit etc. £100 John Williamson de Cavan in Co. pred. in £50 Thomas Harrison de eadem in £50
16.	Hugh Drum	Kilishandra	Cognovit etc. £100 James Reilly de Dugirry in Co. pred. in £50 Edmund Moris de Ned in Co. pred. in £50

Examined per JA. MCGRATH D. Cl. P.

The years 1743-5 were marked by a recrudescence of persecuting zeal on the part of the executive. The officials responsible for the administration of the laws against priests, were required to furnish reports to Dublin. Proclamations were issued and the following instructions were sent to all sheriffs, mayors, magistrates, and high constables:

Council Office 3 March 1743.

Sir—I am commanded by his Grace the Lord Lieutenant and Council to acquaint you that you are required to make enquiry within your jurisdiction and return with all convenient speede to the Council Board the name and place of abode of all persons being, or suspected to be Popish Archbishops, Bishops, Vicars General, Deans, Jesuits, Monks and fryars or other regular Popish Clergy, of all papists exercising Ecclesiasticall jurisdiction and the place of abode and names of persons with whom they reside or are reputed generally to reside. I am Sir your etc.

JOHN LYONS.

Many of the reports still remain. Compared with those of earlier years they mark a distinct advance in the direction of toleration. The generation whose religious fervour was fanned by the passions of the Revolution had passed away and their successors were beginning to doubt whether in the Protestant plantation of Ireland Popery might not still flourish notwithstanding all the acts to prevent the further growth of it. Hence they faced the work of persecution in a more chastened spirit than their predecessors. The Registration acts and the acts requiring ecclesiastics to take the oath of abjuration were beginning to fall into desuetude, nay even the fact that certain persons were friars or reputed friars did not for the most part disturb the equanimity of government. Bishops and vicars dare not yet avow their office or appear in public but their existence in the country was acknowledged if deplored. From the replies sent in from different parts of Ulster, the following are selected as showing the position of the priests in that province. The Sovereign of Coleraine writes from that town 10th March, 1743:

I made the Enquire [*sic*] desired and find there is one John Brullaghan of Ballymenagh in the parish of Aghadoocy who is a Popish priest and I have heard that he is Titular Deane of the diocese of Derry. He and one Duffy his curate who has no fixed place of residence officiate in the parishes of Aghadoocy, Maiosquine, Killowen, and Dunboe in the fields, there being no mass-houses in any of the places where they celebrate mass.

WILLIAM JACKSON.

From Donegal came the following:

Londonderry April 29 1744.

Sir—According to his Grace the Lord Lieutenant's directions I have made all the Enquiries I possibly could and find that there are [*sic*] a Popish Bishop of the name of Gallagher in the County of Donegall and likewise that there is a Friary neare Ballyshannon but how many friars I cant give an exact account, and likewise that there are three friars in the Barony of Ennishowen to wit; Phillip McLoughlin in the parish of Moville and one James Murrey and one Carrolan in the Lower Part of Templemore. This is all the information I gott from the severall Constables of the severall Baronyes and if I heare of any more I shall return them as directed.

CHARLES MCMANUS, sheriff of Donegall.

It is not to be supposed that the sheriff and barony constables, all good men and true Protestants, had allowed these friars and bishops to remain in the country willingly, and through kindly feeling. The fact was that systematic attempts to pursue priests in the trackless wastes of Donegal—which at the time contained the solitary road between Ballyshannon and Raphoe—would be disastrous. Josiah Hart the Protestant bishop of Kilmore, wrote to George Doddington, the Secretary, 4th March, 1734:

> The Bishop of Raphoe acquainted the Duke of Dorset [Lord Lieutenant] this morning in the great room that the Popish Bishop having removed a quiet inoffensive priest and put a turbulent fellow in his place, Dr. Rogers had issued a warrant for apprehending him. As they were carrying him to the County Gaol, guarded by severall Protestants, some of them gentlemen, a great body of papists attacked them, wounded severall and arrested the priest. Letters from my own diocese are full of apprehensions that some mischief is brewing.

In the more settled parts of the country ecclesiastics had to lie *perdu*. The Sovereign of Armagh, Edward Harcourt, writes 10th March, 1743:

> As Sovereign of this Corporation I have visited and searched the houses of the said town. I do not find that any papists exercising ecclesiastical jurisdiction live or reside or have any abode within said Corporation.

On same date Thomas Clarke, Portreeve of Charlemont wrote that after careful search he could not discover anyone exercising popish jurisdiction. Fuller particulars were forthcoming from the sheriff of Tyrone.

> Mountjoy 30 March 1744.
>
> Sir—I have made all the enquiries in my power into the situation and abode of the severall popish ecclesiasticall persons of this County and do not find that there are any of that stamp or persuasion under the character of Popish Archbishops or Bishops but one man reputed to be a Papish Vicar Generall. I have enclosed the most exact return. If I can ferrit out more of their names the same shall appear without loss of time.
>
> JOHN HAMILTON.
>
> County of Tyrone. A Return of the Prests [*sic*] and ffryars.
>
> | | | |
> |---|---|---|
> | Termon McGurk | James Murphy | priest |
> | Of the same | Thomas Feenan | ,, |
> | Bellenasagart | Enneas Dade [Doill ?] | ,, |

Donaghmore	Patrick Donnelly	priest
Clanoe	Patrick Hagan	,,
Donaghmore and Carrenteale	Eneas McDonnell	,,
Killishele	Laughlin Hagan	,,
The same	Tague O'Kelly	,,
Desertireat	Bryan O'Quinn	,,
Lisav	Michael Doill	,,
Ballenderry and Tamleh	Tague O'Corr	,,
Arbrea	John Halfpenny	,,
ffintenagh	Bryan McGuire	,,
Ardboe	Patrick Granhams	,,
Kelleyman	John Rogers	,,
Clanfeankele	James Madden	Vicar Generall
the same	Art O'Kelly	priest
Aghnacloy	Ross McCanne	,,
Clogher	John McCavill	,,
Clogher	William Weldone	,,
Budoney	John McCrorey	,,

ffrancis McDonnell	ffryar
Patrick Quin	,,
Nicholas Keenan	,,
ffrancis McCann	,,
Phellemy O'Neill	,,
Roger Cheevers	,,
Murtagh McCann	,,
Anthony McCanvill	,,
Christopher McConway	,,

—JOHN HAMILTON Sheriff.

From the same county we find :

Strabane Mar 9 1743-4.

Sir—In obedience to the Command of his Grace the Lord Lieutenant and Council I have made all the inquiry possibly I could to inform myself of the number of the Popish Clergy of all ranks, and from the best of my Information which I am sure is true, there is not within this Corporation or settled neare it any Popish archbishop, bishop, vicar generall, dean, Jesuit, monk or friar. There is one priest who serves three parishes ; he lives in this town and his name is John McConally. If I can meet with any farder Information I shall be ready to communicate it.

JOHN MCCAUSLANE.

The reply from Belturbet was even more satisfactory to the executive ; John Jones, the sovereign of that town, wrote on the 14th March, 1743-4 :

We of this Corporation have not one Popish family in our liberties nor even in King James' time—till we went all to Enniskillen.

The high sheriff of the county, Samuel Moore, seems to have been well served by his spies. Writing 21st March, 1743-4 he states:

> The Popish Bishop of Killmore, known by the name of Clarke, lives in Dublin. The Popish Deane of Killmore, John Reilly, parish priest of Croseclogh, he lives at Drumkilly. The Vicar Generall, Hugh Duggan, parish priest of Killmore lives at Drumheel; Duggan a frier lives with his brother the Vicar Generall; Daniel Reilly a frier lives in the parish of Denn and lands of Knockekilly; John McKernan, a frier lives mostly in the parish of Castlerahen, has no certain place of abode; John Reilly a frier lives in the parish of Kelan, he has no certain place of abode; Miles Reilly a frier lives mostly in the parish of Ballymacu.

Going north, the persecuting spirit as might be expected, becomes more marked. The Mayor of Carrickfergus, William Chaplin, writes 7th March, 1743-4:

> I am well informed that none of the Popish clergy has any constant residence within the town or country of Carrickfergus but that priests from neighbouring parishes come frequently and celebrate mass to the Popish Inhabitants living amongst us, being about thirty families, in general very poor. You may depend on my fidelity in putting the Laws against Popery in execution.

The reports from the Counties Down and Louth are of unusual interest. Ross Moore, sovereign of Carlingford, writes 7th March, 1743-4:

> There are two popish priests who often officiate in this Corporation. Patrick Carrell who is priest of this parish lives three miles from this town at a place called Castletown Cooly, and Friar Mathews who is curate to Carrell, he has no certain place of residence. The titular Primate lives six miles from this at a place called Ballymascanlon where there is generally a great concourse of all kinds of popish clergy. As there is ten Papists for one Protestant in this County and the army ordered from us I most humbly request that his Grace the Lord Lieutenant will be pleased to order me about sixty musquets and some ammunition which would be a means of keeping the Papists here in great subjection.

The sovereign of Hillsborough, Edward Hill, writes 5th March, 1743-4:

I must inform you that at present there doth not reside in my jurisdiction any popish archbishop or bishop. Lately a popish bishop did reside neare this place. But last year did leave it and as I am informed lives now somewhere near Lisburn. There do reside in a neighbouring parish within my jurisdiction one popish priest named Patrick Burn who lives in the house of his brother Edmund Burn, who serves the popish inhabitants of this and two other parishes. The papists in this county being not numerous or at least nothing in comparison of the Protestants. Of any other Popish persons exercising authority I know of none.

William Murch, mayor of Dundalk, on 6th March.

I herein send you the name of our reputed Popish parish priest, Nicholas Devin who lodges at the house of John Smith in this town. There was one Dominick Roddy a reputed friar who resided for some time here but has lately fledd. I should be glad to know if I ought to seize Devin the reputed parish priest and shutt upp the chapplè. I had a Papist put into Gaole here for saying the Papists would rise and kill the Scotch—meaning the Protestants, who will be tryed this Assizes.

Four days later the high sheriff Trevor Banns, enclosed the following :

A List of Regulars or reputed Regular Fryars in the County of Lowth March the 10 1743-4.
Thomas Babe late of Dundalk now of Balinleragh.
Hugh McConwell of Balimascanlan.
Stephen Carney of Carrick Beggitt.
Dominick Roddy, late of Dundalk.
James Byrne of Knockbridge.
John Stanly of Williamstown.
Edward Drumgool, late of Dundalk.
Anthony Mathews of Knokbridge.
Patrick Mathews otherwise McMahon of Ardee.
John Plunkett of Whiterath.
John Taaff of Lowth.
Owen Linnen of Bermeath.
Bryan Row McMahon otherwise Bernard McMahon otherwise Bernard Ennis of Ballymascanlin reputed titular Archbishop of Armagh.
Dominick Mathews of Cooley resides sometimes with Souten and sometimes with Terence Dullaghin both of Cooley aforesaid.

The report from Drogheda is as follows :

Drogheda 6 March 1743-4.

Sir—We have made the most diligent enquiry in our power and cannot find nor do we believe that any Archbishop, Bishop, Jesuit

Monk or Friar or papist exercising any ecclesiasticall jurisdiction is now resident or lately or usually did reside within this town or county except those whose names are underwritten who lived in three separate houses by themselves in those parts of the town mentioned, but all dispersed not long before the issuing of the late Proclamation as we are informed into the Country and have not appeared here since. And we begg leave to acquaint his Grace and the Councill that the Grand Jury at the Assizes held this week have presented all the said severall persons undernamed and the Court has ordered process against them which we shall use our utmost diligence to have executed whenever it shall be in our power.

Besides the persons undernamed there is one Reilly the parish priest of St. Peters who hath resided here some years, and he hath an assistent whose name is McCabe. There is alsoe one Cusack the Parish Priest of St. Mary's who hath alsoe resided here many yeares. And these three persons we suppose may still be in the town though they did not appeare.

HENRY SHEILS, Mayor.
CHA. SALLERY, JAMES SANDIFORDE } Sheriffs.

John Donnelly Hiacinth Wattson Edward Watson, Owen Lennan and James Sampson resideing in a house without the West Gate. } Reputed regulars or ffriars of the Dominican Order.

Patt Morgan John ffleming Bryan McCaraher and one McDaniell now or late of Batchelors Lane. } reputed Regulars or ffriars of Augustine Order.

Bryen McMahon Patrick Reilly John Kelly and John Markey now or late of Broadstone Well. } Reputed Regular ffriars of St. Francis Order.

The officials of the County Monaghan appear to have prosecuted their enquiries with equal success. Cairnes Haughtson writes from the town of Monaghan, 7th March, 1743-4:

I have enquired and do find that no popish priest has lived here for these great many years past but one Francis Duffy who is the popish priest of the parish of Monaghan. His residence was generally at one Mary Duffy's within the town but of late he has absconded and I am told is run away.

The high sheriff of the county wrote 12th March, 1743-4:

I went round this County and have made the strictest enquiry I could about the Popish clergy, and send a list of them enclosed with the barony, parish and place of their abode. I think every Protestant ought to exert themselves. RICHARD GRAHAM.

A List of the Priests etc. Returned by the Sheriff of the County of Monaghan:

	Parishes.	Priests Names.
Monaghan Barony	Monaghan	Francis Duffy Lived in the town of Monaghan until about the 5 of March instant, but is run away; has a mass house neare Monaghan.
	Tyhallan	James Duffy lives on the lands of Tullylust.
	Tydavnett	James Murphy lives on the lands of Drumshever, has a curate called Thomas Trenor who is a ffriar and lives in Iteriry and has a mass house.
	Killmore and Drumsnatt	Hugh Moynagh called Vicar Generall of the Diocese of Clogher lives in Cooledarragh in Drumsnatt.
Dartry Barony	Erigill	Ross McKenna and Patrick Murray; priest McKenna lives in Mullyodan, McKenna is harboured by Turlogh McKenna of Corclar McKenna, is reputed a dangerous insolent fellow.
	Donagh	James McKenna lives in Cloncane and has a mass house and a chapple of ease.
		The titular Bishop of Clogher Ross Roe McMahon otherwise Ennis lives in Corvally in the parish of Amatris.
	Clonenish	James Ward lives in Anaghgulgan lying in County Fermanagh, has a curate that stroles through the parish called Patrick Ruckagh McDonald—both very dangerous men.
Cremoren Barony	Amatris	James Clearkan, lives in Cornwall and has a mass house.
	Aghabogg	Patrick McQuaid lives in Corleck.
	Currin	Michael Connolly lives in Aghnafin.
	Killevan	Tole Connolly lives in Kinturk
	Clontubritt	Philip McArdle priest of the lower part lives in Carrickanure.
	Upper Clontubritt and Muckno	Pierce Duffy lives with one Charles Molloy near Castleblaney.
	Aghnamullen	Patrick Brockagh Duffy and Owen Traynor Duffy, has no residence but stroles through the parish. Trenor resides with one Patrick Roe Reddy. Duffy near Loghegie.
	Tullycorbett	Roger McMahon lives in Lisdoe.

Farny Barony

Parishes.	Priests Names.
Mahaross	Patrick Ginor resides with one Richard Hand of Carrickmacross and has a curate called Patrick Boyland who resides with one Bryan Byrn of Lurgann.
Dunamoine	Patrick McCabe otherwise Freeman lives in Longfield, James O'Neill and James Cassidy are assistants. O'Neill lives in Shankaloe, Cassidy has no residence but stroles through the parish. Freeman has a mass house [*Added*] Neill and Cassidy are friars.
Eniskeen	Hugh McMahon otherwise Hugh Roddy lives in Ballyrush and has a mass house.
Maghracloony	James Callan lives in Dromboe.
Killany	James McMahon lives in Tullyultun in Co. Lowth.
Dunamoine	James Clinton a friar lives in Coas where a popish fryary or convent was lately held.

For reasons that are obvious the laws against priests continued in active operation in Ulster down to a much later period than in the other provinces. Even in the beginning of the nineteenth century no "mass houses" would be tolerated in many localities still less would the landowners grant sites for the building of them. Fitzpatrick in his Life of Dr. Doyle, published in 1861, writes :

> The spirit of persecution and oppression lasted to a much later period than is generally supposed. The present venerable bishop of Raphoe Dr. McGettigan remembers going with his father to hear Mass at the side of a mountain in midwinter with the impending cliff protecting the worshippers from the inclemency of the weather and where they were obliged to have two men stationed at the top of the hill watching lest the Puritans should come down and wreak their vengeance upon them. (I. p. 169).

It might be supposed that in no part of the province would priests be more secure than in the Catholic barony of Inishowen to the extreme north of Donegal. In this peninsula shut in by Lough Foyle, the Atlantic and Lough Swilly, and furrowed by the Slieve Snaght and Scalp mountains, surely the law might be defied. Yet the local historian writes :—

> In the parish of Culdaff there is a lone churchyard embosomed among the mountains and in sight of the ocean. In the centre

of it stands an old church that was once Catholic. None have been buried there for the past forty-five years except the members of a few Protestant families who reside in the district. Opposite the church door is a broad slab of unpolished stone covering a vault. On one side it has fallen off the wall on which it rested. There is no inscription. Few, perhaps not four persons know who is buried there. It is the grave of a bishop, Dr. M'Colgan. He was consecrated in 1760 [probably earlier]. His predecessor had found it impossible to reside in the see and he found religion a wreck. Priests were few and of churches there were none. The ceremonial had disappeared; the faith alone remained standing, it had taken hold in the hearts of the people when the hand of persecution was unable to follow it. For a number of years he performed the duties of the most hard-working priest together with those of the episcopal office. He married, baptized, heard confessions, visited the sick. His residence was a humble white-washed cottage at Muff, Donegal. Years rolled on and bright hopes began to dawn. But the hopes were disappointed. The bishop had already become obnoxious to the authorities. They found a ready instrument in a friar who some time before had been visited with canonical censures. For safety the bishop quitted his residence, the little cottage, and sought an asylum among the mountains of Carndoagh. He remained two weeks concealed in the house of a liberal and kind hearted Presbyterian named Joseph Campbell. The military soon discovered his retreat but he effected his escape. Fatigue and anxiety had already done their work. Two priests attended him on his death bed in Omagh in the year 1765 (*vv*).

(*vv*) Inishowen: Its History, etc. Derry, 1867.

CHAPTER VIII.

LEINSTER.

IN an angry controversy carried on between the Tory executive government and the Whig Corporation of Dublin towards the close of Queen Anne's reign, each party went as far as to accuse the other of conniving at Popery and permitting non-juring priests to remain in the country. Lord Chancellor Phipps seems at first blush to have had the best of the argument. Addressing the Lord Mayor and Aldermen in January, 1712, he insisted on their "preventing public mass being said by priests not registered and that will not take the abjuration oath"; and he charged them that the "negligence of the Dublin Corporation in enforcing the laws had produced great licence throughout the kingdom." But it must be considered that Catholicism had now no public, legal existence, and that a secret society is nowhere so safe as in a large city. The difficulties that the Dublin magistrates had in enforcing the laws were that they had to deal with peculiar conditions and with sharper and better organised people. Priests living in obscure lodgings or sheltered in the houses of Catholic gentlemen, were not so easily located and identified as those who had to move about in the open country or to make their habitat in small towns. In point of fact when, more than once, Propaganda complained of bishops quiting their dioceses, they pleaded that their persons having become known in the country, they had to take refuge in Dublin. There where every member of the little congregations could be scrutinised and identified, they were comparatively safe from the active magistrate or the official spy. Within sight of the Council Office on Essex Quay, and under the shadow of the Castle, near St. Audeon's Arch, Catholic worship was long carried on. How this was possible we have a curious evidence still surviving. Every Dublin citizen is familiar with the Franciscan house on the quay opposite the Four Courts known as "Adam and Eve's." Few however know the story that lies behind the strange *sobriquet*. In the early eighteenth century there stood

there on "the merchants' quay" a well known tavern over which hung the sign of "Adam and Eve." It was the common resort of the sailors and longshore men of the port. Mingling with these the Catholics made their way unobserved through the tavern to the little chapel of the friars which lay to the rere. And the effectiveness of these disguises may be judged from the fact that as late as 1732 when there was comparative toleration, a well informed Protestant pamphleteer discussing the relative proportion of Catholics and Protestants in Dublin was unable to state the number of chapels in the city (*ww*).

As the secret of the chapels was well kept so the vicars-general and others exercising jurisdiction managed to conceal their identity. The decrees of a diocesan synod of Dublin in 1712 are still extant. In case these decrees should fall into the hands of the government the enactments are "by the authority of the clergy"; those who transgress the "regulations" are declared incapable of discharging priestly duties; others are to be "deputed by the said clergy" and throughout there is not a hint of an archbishop living in the diocese. Certain persons indeed were suspected. At the banishment of the regulars and higher ecclesiastics in 1698 the name of Edward Byrne priest of St. Andrew's parish, was returned by the local parson as "supposed vicar generall." But no proof of the fact could be obtained and Byrne for nine years during the exile of Dr. Creagh continued to administer the diocese until 1707 when he succeeded as archbishop. Consecrated secretly the clergy and people loyally sheltered him; the professional priest hunter even was long unable to discover who ruled the see. Tyrrell conjectured that one Father Kennedy, an Augustinian friar, "disguised as one Jones" was the archbishop but the shot was a wild one. The first clue however was obtained in connexion with the transfer of some Galway nuns in which Dr. Byrne, and a Franciscan named Burke were concerned. Informations were sworn and a hunt for the archbishop began to be actively prosecuted.

Sir—Having received some hint yesterday morning of Doctor Byrne's being in this county I gott ffolliot Shriegley and John

(*ww*) Scheme of the Proportions which the Protestants of Ireland may probably bear to the Papists, Dublin, 1731-2.—Halliday Pamph. R.I.A.

Hackett Esquires two other Justices of the Peace to joyne with me and we issued our warrants and had a diligent search made in and about this towne, but upon further inquiry found by the Informations of severall persons that he had been within two miles of this towne on fryday morning last and was then on his way to Dublin. I thought myself bound in duty to give their Excellencies the Lords Justices and Council an account of this matter which I hope you will lay before their Excellencies in due time. Sir your most humble servant
Wicklow Sept. 28 1712. THO THEAKES.

After further search the trail in Wicklow being lost it was reported the archbishop had gone north.

Dublin Castle 8 Nov. 1712.

Sir—The Bearer hereof Edward Tyrrell having informed the Lords Justices and Council that one Byrne the Titular Papish Archbishop of Dublin mencioned in a late proclamation is lately gone to Drogheda and conceals himself there, their Excellencies and Lordships have commanded me to signify their pleasure to you to assist the said Tyrrell in apprehending the said Byrne and to send such a number of men with him as shall be sufficient to take him, and to cause him when apprehended to be committed to Gaole there to remain till thence delivered by due Course of law. I am your most humble servant
To the Mayor of Drogheda. JOS. DAWSON.

In vain however. No trace of his whereabouts could be got and the egregious Tyrrell now suggested a fresh search in the Wicklow hills.

Wicklow 20 Nov. 1712.

Sir—I communicated your letter to Mr. Hackett and Mr. Allen Justices. Upon hearing what the said Tyrrell had to saye they joyned with me and gave me a warrant to search such houses and to apprehend such persons if they were to be found. The said Tyrrell did aver that att the present there was in Thomas Byrne's house one ffather Edmund Byrne and severall other priests from abroade and also at Redmond Byrnes of Kallaughler we would find one Captain Charles Byrne and fourteen more all officers and priests, all come lately from abroade. Upon which I raised guards of both foot and horse with all privacy imaginable and searched all suspected houses in our town and found none, and Mr. Allen and I Road to Redmond Byrnes in the Countrie and searched there also and found none. All which gave us no small trouble. I am etc.

WILLIAM HAMILTON.

Escaped again! For six months no further evidence of the hunt can be discovered until the middle of the following year when

the wily ecclesiastic was said to be safe and sound in Dublin—and in the house too of an alderman of the loyal, Protestant Corporation.

Council Office Dublin 16 May 1713.

My Lord—Their Excellencies the Lords Justices and Council having received information upon Oath that one Edmund Byrne Titular arch Bishop of Dublin and one Byrke a Fryer lately landed from France lodges (*sic*) at Alderman Reily's house in this City. Their Excellencies have commanded me to signify their pleasure to your Lordship that you will with all the secracy and prudence that the necessity of the affair requires cause the said Byrne and Byrke to be apprehended and committed to Gaole and their papers to be sealed upp and sent to this Council Office and that your Lordship will give their Excellencies and Lordships an account of your proceedings therein.

Your Lordships most humble servant

Jos Dawson.

To the Rt. Hon. Samuel Cooke Knt. Lord Mayor of Dublin.

Whether the Lord Mayor as well as the Alderman was in collusion with the archbishop and gave him the hint to depart "with all the secracy and prudence necessary" does not appear, but the archbishop remained at large. Lucky however as he was, he was entrapped at last. In 1718 he was one of those arrested at the suit of Garcia, the Jew priest-hunter. With the others he was admitted to bail as the authorities were entirely unaware that he was the identical papal emissary who had long defied all efforts to catch him. Once out of their clutches he managed during the remaining five years of his life to govern the diocese undiscovered.

The difficulties in detecting unregistered and non-juring priests were almost as great. Recourse therefore was had to the machinery provided by the Act, 8 Anne, c. 3, sec. 21. A bundle of informations sent to the Privy Council by some officious magistrates, show how this section was worked. A few are here given :

Co. Dublin.

The Examinacon of John Mitchell of Drumnee in the said County Farmer, taken before the Right Hon. the Lord of Santry. Thomas Stepney, Foliott Sherigley, Laurence Grace, John Jackson and Daniel Wybrants six of her Maiesties Justices of the Peace for the said County taken the 17th of June 1714.

Who being duly sworn and examined saith that the last time he heard mass was a Sunday last at the town of Coolock in the

said County but by whom it was said or celebrated he does not know. Saith that he has a son called James Mitchell and that the said James teaches the children of Mr. O'Hara who lives at Kinsale in the said County as school master, and that the said James was beyond seas for some time and returned into this kingdom about Christmas last past. Saith that he does not know of any Popish bishop or regular Popish clergy in this kingdom.

JOHN MITCHELL [bound to prosecute in the sum of] £40.

The Examinacon of Robert Broghill of the Grange in the said County Gentleman, who being duly sworn on the Holy Evangelists and Examined saith that the last time he heard Mass said or celebrated was on Sunday last at the house of Richard Talbott Esq. He knows not any person that was there present. That Mass then said or celebrated was by one Father Jones a Popish priest who lives in or near the town of Donebate in the said County. That he heard one Richard Jones lately taught or kept school at Malahide ; that he believes the said Richard Jones is a Papist or Roman Catholick ; knows not of any Roman bishop or Regular clergy man in this kingdom.

ROBERT BROGHILL £40.

James Fotterell of Grange of Baldoyle in the said County being duly sworn on the Holy Evangelists saith that he heard mass said or celebrated on Sunday last at Coolock in the said County by one ffather Cassady whose place of abode is at Mrs. Hollywoods at Artane in the said County. Saith that Darby Warde of Kilmore and James Walker of Coolock both of the said County were present, knows not of any Roman Bishop or regular Clergy in this kingdom. Heard that one Mitchell a Roman Catholick keeps a school at Kinsaley in the said County.

JAMES FOTTERELL £40.

Co. Dublin.

The Examinacon of James Cuniham of Rahenny in the said County, Farmer, being taken before Daniel Wybrants, Foliott Sherigley, Richard Bolton, Edward Swan, Thomas Stepney and John Jackson six of her Maiesties Justices of the Peace of the said County. Taken the 22 day of June 1714.

Who being duly sworn on the Holy Evangelists and Examined Saith he heard mass said or celebrated on Sunday last by Father Cormack Cassady at Kilmore in the said County. Saith that Darby Warde of the same, and John Byrne of the same, Christopher Saver of Clontarfe were all present when the said mass was said or celebrated. Saith he knowes of no Popish Bishops or Regulars. Saith that he knows of no Popish school master.

Bartholomew Doyle of Dunshoghlyn in the said County being duly sworn on the Holy Evangelists and Examined saeth that

he heard mass said on Sunday last by one Father Scally in the Parish of St. Pargetts in the said County and saith that Patrick Fannin and Edmund Laoler of Dunshoghlyn aforesaid were present at the celebrateing the mass. Saith he knows of no Popish Bishop or Regular Clergy man of the Popish religion in this kingdom. Saith he knows of no Popish schoolmaster but one whose name he knows not who keeps school now in the Castle of Dunshoghlyn aforesaid.

BARTHOLOMEW DOYLE £40.

John Wade of Rathkenny in the said County being sworn and examined saith he heard mass said or celebrated yesterday at Rahenny aforesaid by Father Charles alias Cormack Cassady. Saith that James Smith and James Erwin of Rahenny were present. Saith that he heard mass said on Sunday last by the said Cassady at Darby Ward's house in Killmore in the said County. Saith that Darby Ward of the said place, James Fotterell, John Fotterell of Grange were by and present at the celebration of the said mass. Saith that he knows of no popish Bishop or Regular clergy in this kingdom.

JOHN WADE £40.

The further stages in the process against priests may be illustrated by the following petitions, one before, the other after trial:

To their Excellencies the Lords Justices and Council.

The humble petition of William Dalton Parish Priest of St. Pauls.

Sheweth—That your Petitioner has been upwards of three [blank] closely confined in a Garrett in the White Sheafe among other Prisoners. That for many yeares past he has been troubled with the Gravell stone, shortness of breath and megrums in his head which dayly increases by his soe close confinement without any manner of ayre which has reduced and weakened your Petitioner to that degree that he will perish if not timely relieved as by annexed Certificate will appeare.

That your Petitioner is a native of this City and has been upwards of twenty six years past in the same without giving the least offence to the Government. That he is willing to give such security for his appearance and good behaviour when required as your Excellencies and Lordships shall think fitt.

May it therefore please your Excellencies etc.

[Endorsed] The matter is already ordered in Council.

[Certificate].

I doe hereby certify that William Dalton priest is and has been for some years past afflicted with the stone and gravell in his kidneys and megrim in his head astma and other complications of pernicious symptoms all which if he is barred the benefit of air and moderate exercise will increase and prove of dangerous if not of fatall consequence. Given etc. 3 April 1708.

To their Excellencies the Lords Justices etc.
The humble petition of Francis Moore alias Murray.
Sheweth—That your Petitioner was tryed and convicted this present Michaelmas Term [1718] as being a popish priest not registered, exercising the office of a popish priest and was found in this kingdom contrary to Law and thereupon was ordered by the Court to remain in Gaole till transported out of his Majesty's dominions. That your Petitioner being willing to goe abroad rather than lye in Gaol and there being a shipp in this harbour goeing to Spaine or Portugall and ready to saile, applyed to the Right Hon. the Lord Mayor of the City of Dublin to take security for his transpertation but his Lordship refuses without your Excellencies orders. Your petitioner therefore humbly prays your Excellencies to grant your order etc. And he will as in duty bound ever pray etc.
[Endorsed] To pursue the method usuall.

Often the wretched priests were kept months together in the loathsome prisons awaiting transportation. Their only remedy appears to have been an appeal to the Privy Council.

Whereas we are informed that Charles Dempsey [parish priest of St. Bride's] and severall other popish priests are now confined in New Gate and lye under the Rule of Transportation. These are therefore to direct and require you to cause the said Charles Dempsey and the other convict popish priests now in your custody to be delivered to such Merchant Owners or Masters of Shipps lying within the harbour of Dublin as are or shall be outward bound for any place or port not within either of the kingdoms of Great Britain or Ireland in order to their Transportation such Merchant Owner or Master having entered into a Recognisance of the Penalty of ffifty pounds for each of the said priests before the Lord Mayor of the City of Dublin with condition that such Merchant Owner or Master shall transport said priests into some place not within this kingdom or Great Britain.
26 March 1713. J. DAWSON.
To the High Sheriff of the City of Dublin.

Henceforward for some years such entries as the following are occasionally met with :

Order that Hugh Sheridan a Roman Catholic Priest in the Gaol of Kilmainham be transported to France within three months from this date. E. BUDGELL.
12 May 1715.

We hereby direct and require you to take effective care that Anthony Maguire convicted of being a Popish Fryar comming into and remaining in this kingdom contrary to Act of Parliament and

ordered to be transported and also John White convicted unlawfully of marrying Benedict Arthur a minor under the age of one and twenty years to one Catherine Hackett without the privity or consent of his father John Arthur Esq. and under the same rule of the said Anthony Maguire, be both of them transported to some port in Spain or Portugall out of His Majestys Dominions. Given the 7 day of August 1718. CHA. MADDOCKS.
To the Lord Mayor of the City of Dublin.

Francis Moore alias Murray. We hereby direct and require you to take effectuall care that Francis Moore alias Murray convicted of being a Popish priest now under a Rule of Transportation in the gaol of Newgate be forthwith transported to some Port in Parts out of his Majesty's Dominion, 25 November 1718.
To the Lord Mayor of the City of Dublin. CHA. MADDOCKS.

We hereby direct and require you to take effectual care that Michael Murphy, James Dillon, Francis White alias Jones and John Brown convicted of being Popish Priests now under a Rule of Transportation and in the Goal of Newgate be forthwith transported to some Port in parts out of his Majesty's dominions. Given this 2 December 1718. CHA. MADDOCKS.
To the Lord Mayor of the City of Dublin.

Middleton, William [Archbishop of] Dublin, Shannon.
We hereby require and direct you to take effectual care that Francis Comyn convicted of being a Papist Regular clergyman now under a Rule of Transportation and in the Goal of Newgate City of Dublin, be forthwith transported out of his Majesty's Dominion to Bilboa in Spain. Given 28 June 1723.
To the Lord Mayor of Dublin. CHA. MADDOCKS.

Sir—Enclosed I transmit a warrant of Barnaby Lynam just now received from Alderman Trench. You will be so good as to lay it before their Excellencies, the Lords Justices and let me know their pleasure to what part out of his Majesty's Dominions their Excellencies think fit to order him to be transported. I am Sir etc. NATH. KANE.
Tholsel Chamber 13 Jany. 1734-5. To Thos. Tickell Esq.

Wee hereby direct and require you to take effectual care that Barnaby Lynham a Popish Priest under a Rule of Transportation in the Goal of New Gate be forthwith transported to some Port in Portugal out of his Majesty's Dominions. Given 17 Jany. 1734-5. THO. TICKELL.
To the Lord Mayor of Dublin.

Perhaps the last raid on the Dublin priests is that reported by De Burgo (Hibernia Dominicana, p. 175).

On 17 February 1744 one Alderman William Aldrich with his Constables went secretly to the parish chapel of St. Paul's on the north side of Dublin (in which I myself was curate at the time), and finding Father Nicholas English celebrating mass, had him forthwith take off his vestments and sent him to gaol. Thence to the Dominican Convent where he arrested the two chaplains Dominick Kelly and Thomas Nolan. The rest of the priests of the city leaving their usual place of residence hid themselves, but one a Franciscan named Michael Lynch who was taken.

When religious passions were simmering down and magistrates and others were not as zealous as became them, the executive put on a spurt. A special committee of the Privy Council was appointed 29th October, 1716, to report "what methods they conceive to be the most proper to hinder any person from officiating as a preist or exercising ecclesiasticall jurisdiction in this kingdom contrary to law." They reported :—

We are humbly of opinion that on Sunday next (unless his Excellency the Earl of Galway shall think fitt to order it sooner) the Lord Mayor be directed to issue his warrants empowering and requiring the Constables in the severall parishes of this City to repaire to the severall mass-houses within the said City early in the morning to apprehend such popish priests whom they shall find officiating or celebrating mass contrary to the law in force in this kingdom.

If the Lord Mayor find civil authority insufficient he is to call in Military Aid.

Again :—

Sir—There was no order of Council given to the Lord Mayor yesterday but a verbal one which he took in writing for his own security; it consisted of these articles.

1. To search all popish houses for arms and ammunition.
2. To apprehend all popish Archbishops, Bishops and other persons exercising ecclesiastical jurisdiction contrary to law.
3. To seize all regulars and to Extirpate all Monasterys friarys and nunnerys.

I am Sir your most humble Servt.

Feby. 18 1740-1. JOHN LYONS.

To John Potter Esq.

In accordance with a ukase issued from the same quarter three years later some interesting returns were sent in.

22 March 1743-4 Lord Mayor of the City of Dublin. Return of Popish Priests etc.

DAVID TEW Dawson Street 22 March.
In the parish of St. Andrews I can't learn that there is any Mass-house, Friery, Nunnery or Popish priest Frier or other person exercising or suspected to exercise any ecclesiastical jurisdiction. The titular Popish vicar thereof lives in Hawkins St. in the parish of St. Mark ; his name is Reynolds and under the title of Vicar of St. Andrews, he includes in his vicarages the parishes of St. Peters. St. Annes and St. Marks and is said to have seven assistant Curates, one whose name is Wall.
In the parish of St. Marks, Mr. Reynolds who I suppose is the above mentioned, is Deemed the Head Popish priest who lodges at Mr. Redmonds in Fleet St.
Mr. Fitz Patrick next to Mr. Reynolds who lodges at Mr. Dorans in Fleet St.
Mr. Carrol another assistant priest who lodges at Mr. Mooneys on Lazers Hill.
Mr. Doolen another assistant lodges at said Moonys.
Mr. Quinn another assistant lodges at said Moonys.
Mr. Wall another assistant lodges at said Moonys.
Mr. Wall Junior another assistant I cant learn where he lodges.
In the parish of St. Audeons there is a Dominickan Chappell into which there is one entrance from Cooke St. and another from Bridget St. I can't learn the names of those who officiate therein, or there are any Popish ecclesiasticks or any other Popish Friary, Nunnery or other persons exercising popish ecclesiasticall jurisdiction in the said parish.
In the parish of St. John. There are not any popish ecclesiasticall persons residing, but there lately was Mr. Clynch who lived in Winetavern St. and was reputed Titular Dean of St. Patrick's whence he removed.
In the parish of St. Pauls, I can't learn there are any Mass-houses, Nunnerys Friarys or any persons exercising ecclesiasticall jurisdiction. Nor can I find any such persons who reside or have resided in the parish of St. Warburghs.
In the parish of St. Mary's there is a Popish chapell in Liffey St. which is served by Mr. Linegar a reputed popish Bishop. His usual place of abode is Abbey St. and he is assisted by four or five other ecclesiasticall persons who come casually whose names and places of abode I can't learn.

From the part of Dublin which lay outside the Lord Mayor's jurisdiction came a more satisfactory report :

CHRISTOPHER ROBINSON Seneschal of St. Sepulchres. Has made a very strict enquiry and no reputed regular within the liberty nor a mass-house. —15 March 1743-4.

Among the many papers relating to Dublin perhaps the most curious and valuable is an abstract of an examination of one

Father Fitz Simmons, probably the same who subsequently became archbishop of Dublin. In 1751 some unfrocked priests made charges against the bishop of Ferns, Dr. Sweetman, as a foreign agent. Father Fitz Simmons was in some way associated with the bishop, and so the following is found among the minutes of the inquiry:

EXAMINATION OF MR. FITZ SIMMONS [NOVEMBER 1751].

Saw Sweetman in town last Whitsun Week whose business was to ordain. There was no extraordinary meeting then. Did not see Sweetman at the Archbishop (*sic*) of Dublin but saw him at his own lodging at Ignatius Kelly's.

Did not see the Bishop of Ossory on that Occasion but did dine with Sweetman and him at that time.

Priests are allways ordained here and it was allways the Practice but they go abroad after to finish their studies. Lonergan never had a Coadjutor neither had any of his Predecessors. Archbishop of Dublin has forty five parish Priests in his Diocese, each pays him a Guinea a year, and has St. Mary's Parish which is a very good one.

Some Bishops have more Parish priests in their Dioceses.

There are some Fryars. Does not encourage them but cannot prevent them, there not being a sufficient Number of Secular Priests, their Duties being heavyer than on the Protestant Ministers, and the Fryars assist in hearing Confessions.

The Regulars have six Chappells and six or seven Fryars in each as near as [he] has known; there may be some unknown to him.

The Orders are Dominickans Franciscans Carmelites of two kinds Augustines and Capuchins. They live by Collections. The Provincial, if any, not resident. In one Respect they are under the Direction of Episcopacy as to forbid during Prayrs of anything offensive to Government. This they do upon a Lord Lieutenant's Arrivel and at that time are more private in their Devotions. No singing in the Evening Service and no Sermon in the Afternoon in any of the Chappells belonging to the Fryars. They have no Establishment, are all Mendicants.

There are three Nunneries besides that in Channell Row but they are not Nunneries in a strict sense. Knows not the Superior in each. In one or two there are between twenty and thirty each, in another not above three or four.

Fryaries, Dominican in Bridge St.; one, John's Lane; one, Ash St.; one Church Street; one, Cooke Street; and one Wormword Gate.

Never heard that the Recruiting Service goes through the hands of the Priests, either in Dublin or elsewhere and would discountenance it.

Was born in the City of Dublin.

Does not know anybody that went over with Lord Taaffe but says a Gentleman was employed in London. Knows not the sum Collected except Dublin Collection and Sweetman's. The Dublin Collection was only in the City where there are fifteen chappells and each gave two guineas. Gave that money and Sweetman's which was all he received either to the then Lord Mountgarrett or to Lord Gormanstown. Knows not that Lord Taaff was concerned except in the Sollicitation here. Never asked what became of the money—being a Trifle. Heard there was a Collection amongst the Layety besides that amongst the Clergy. Not all expended, and some refunded to those who contributed. Mr. Garvea in London employed to ffee Lawyers etc. Believes Lawyers were employed before the Councill but never asked particularly. The Superiors of the Chappells assembled and agreed to give said Contribution. Severall persons were appointed to collect among the Layety but knows not who they were. Knows not of any Collection in other Dioceses for the Notice was very short. Wrote to none of the Bishops except Sweetman, having no Correspondence with them. But if required the Archbishop would employ him to write. Knows a Collection was recommended this year, a Bill being spoken of last Session to enable Roman Catholicks to take long Leases but no Collection made.

Has six or seven Priests to assist him. There are about a hundred in Dublin. The Collections at the Door provided for them. A share of that Collection and some Emoluments make up about fifty pounds or sixty pounds a Year which is his Provision, and has some Exceedings (*sic*) upon the Chappell Rent. Micans his parish is numerous but small. Nicholas Without is the best parish, No Fee for Confessions—being forbid. There are but few priests unemployed. Natives are allways preferred to assist. No Ordination these twelve years before. Fewer are now ordained than used to be, and severall of those who go abroade do not return. More do not go abroad for Education than used to do.

Has been in Dublin since 1727 ; lived 7 years a Priest in London.

Fryars are not increased in his Memory.

Linegar [Catholic Archbishop] never visits. Has little Power over his Suffragans.

The neighbouring county of Wicklow, ever the home of the outlawed, was also the theatre of active priest hunting. In 1708 on the issue of a proclamation to put all popish priests under arrest William Hamilton, portreeve of Wicklow, writes to Dawson, 8th March :

In obedience to the Government proclamation I this day seased (*sic*) the Popish priest and made diligent search in all popish places for horses arms etc. but found none.

The magistrates generally appear to have enforced the laws. In 1716 Baron Pocklington at his return from the summer assizes in Wicklow was able to report to their Excellencies:

I found in Wicklow Gaol Owen Mac Fee a Convict popish priest who says he will gett himselfe transported within a month. In that County they are not much troubled with Popish Priests. The Gentlemen gave me an account that they know of noe Popish schools.

The high sheriff, Thomas Ryves, being asked why the priest had not been transported replied 30th October:

Owen McFee a popish priest was the last Summer Assizes convicted for saying mass in my County contrary to Act of Parliament and sentenced to be transported. And a warrant was directed to me for that purpose which remains unexecuted for want of shipping in the port of Wicklow or elsewhere in my County ever since the said sentence.

If as seems probable the "Owen Mac Fee" was the "Owen Fee" registered for the parish of Ballymore Eustace in 1704, much credit could not be claimed for his capture. For the poor old convict was now seventy-two. Sometimes however the work of the magistrates was not unattended with risk.

Wicklow 4 June 1702.

Sir—I have received severall complaints from the Inhabitants of this town that the Roman Catholicks have in the Libertyes of it, neere the Barracks, built a new mass-house, to which they resort in great numbers. The Justices of the Peace agreed not to allow of their meeting there any more. But this morning goeing to Church, I perceived them at mass of which I acquainted the Portreeve who ordered me to send a Sergeant and file of men to tell them they must disperse. They accordingly did but threatened to complain to the Government of it.

To J. Dawson. ROBERT FLETCHER.

Wicklow July 10 1702.

Sir—A fire broke out in this town and consumed eight houses. It began in an outhouse of Mr. Hamilton the Portreeve. By all circumstances it seems to have been fired on purpose by the Papists who very much seem to resent his officiousness (as they tearme it) in removing them from their Mass-house. Since when, as I am informed, they have mett every Sunday (after we are at Church) in the very middle of the town.

ROBERT FLETCHER.

As commanding officer of the troops he asks for instructions in case they should attempt to assemble in the town again. What

the secretary's reply was we have no means of knowing. That gatherings of the people for religious worship were often dispersed by force appears from a letter of Ryves, the high sheriff, to Dawson, 7th June, 1714, in which he states he raised a posse

to suppress a Riotious Assembly of Papists at the Seven Churches to pay a superstitious worship to St. Kevin, being accompanied by severall Justices of the Peace and a great number of the Protestant inhabitants well mounted but very badly armed. On the approach of our force the rioters immediately dispersed. Wee pulled down their Tentes, threw down and demolished their superstitious crosses, destroyed the wells, apprehended and committed one Tool a Popish school master. The Protestant Inhabitants of this county are unanimous in their inclinations and resolutions and will exert themselves with all diligence and zeal for her Majesty's service in putting all the laws in every respect strictly in force against the Papists.

The commendation which the learned judge gave the Wicklow magistrates was deserved even long after.

Wicklow 8 March 1743-4.

Sir—After a strict enquiry I can't find that any Popish clergy whatsoever are resident within our jurisdiction. The Parish priest or reputed Popish vicar of Wicklow is Denis Doyle and resides at his own house on the lands of Ballycullen about four miles from Wicklow and has not officiated this fortnight past. His assistant Sylvester Doyle lived with him at his house but I am informed he has turned him off. There was one Patrick Cawlin a reputed friar who some time agoe frequented this neighbourhood but of late has disappeared. I can't learn that he had any settled place of abode but strolled from one place to another. GEO. DEACON, Portrive.

To J. Lyons Esq.

Passing on to Wexford the earliest document of this period met with is a transportation order under the Act 9, William III.

Wexford 11 March 1701-2.

Sir—Pray give my most humble respects to their Excellencies and let them know that I have caused three stakling (*sic*) seamen to be secured and sent to Corke. Move their Excellencies that the fryers in the annexed Certificate may bee transported. They doe mischief here.

[Enclosure].

I do hereby certify that at the general Assizes and general Gaol Delivery held at Wexford for the County of Wexford the 3rd day of April 1699 Redmond Murphy and Anthony Molloy were at the said Assizes Indicted for that they being Regulars of the

popish Religion and continues (*sic*) in this kingdom contrary to the Act of Parliament intitled an Act for Banishing all popists Exercising ecclesiasticall Jurisdiction and all Regulars of the popish clergy out of this kingdom, in contempt of our Sovereigne Lord the king the 10th day of June in the Ninth year of his Maiesties Raigne att Eniscorthy and in Divers other places in the said County and they being putt to their traverse, they denied the fact and a Jury being Impannelled and sworn to try the said traverse they find them guilty. Whereupon the Court ordered that they should be and Remaine in the County Gaole without Bayle or maine prize untill they be transmitted according to the statute. THOMAS HAKERS D.Clk.

This seemed explicit enough, but in point of fact Redmond Murphy one of the friars, was kept in Wexford prison for more than eight years before he was transported. The authorities often were in no hurry to transport convicted priests. In the time of William III. it will be remembered the German ambassador intervened to mitigate the punishment of imprisonment to the milder one of transportation. In 1723 we find an instructive instance of a similar kind in Wexford. An Augustinian friar named Francis Comin had been convicted of coming into the country contrary to law. He waited several months in Wexford jail in the hope of transportation but at length managed through some of his brethren to interest the Spanish ambassador in his case. The Duke of Grafton wrote from London, 5th February, 1723, that the Marquis de Pozobuero, Spanish minister in England, had made instance in the name of his Catholic Majesty to have Comin admitted to bail. The Lords Justices are therefore to make enquiry into the grounds of his committal and transmit a state of the matter to be laid before the King. It would appear however that Comin's offence was too enormous for bail. On the following 26th March Lord Carteret, the Foreign Secretary, wrote to the Lords Justices: "His Majesty would be informed whether it would be of any ill consequence to permit Comin to transport himself to Spain." The same year we find two more friars transported from Wexford.

Middleton, William [King Archbishop of] Dublin, Shannon.

We hereby direct and require you to take effectual care that Jasper St. Laurence and John Killarna both convicted of being Popish Regular Clergymen now under a Rule of Transportation and in

the Goal of Wexford be forthwith transported out of his Majesty's Dominions to Bilboa in Spain. Given 24 June 1723.
To the Sheriff of Wexford. CHA. MADDOCKS.

How far the Wexford magistrates emulated their Wicklow brethren in enforcing the laws against secular priests does not appear. Tyrrell, the priest catcher, in one of his visits to the county complained of their not assisting him.

To J. Dawson etc.

Most honord Sir—Send an order down in relation of commanding assistance as it was to Mr. Mone at Captain Starling. Direct to James Stopford Esq. at Kilbride near Gory. There is a management here to prevent my Designe, which shall appear before the highest power. You know my meaning. I doe not enlarge further till I see your selfe. All their roguery again me shall not prevent what I under took.

Your hons. most humble servt.

Gory 22 Dec. 1712. E. TYRRELL.

The ill success of this expedition was attributed by Tyrrell in a letter to Dawson, 10th January following, to the "ill management of some of the Justices of the Peace." That others were active enough would seem from a letter of Colonel Edwards, 18th June, 1714. He has succeeded in taking, he says, Michael Downe a popish priest, and adds "the mass-house of Ross is rayld up and the key left with the Suffrein."

Of the magisterial proceedings in 1744 there are ample particulars.

Wexford 6 March 1743-4.

Sir—I send you in the back side hereof the names and residences of the popish ecclesiastics in this Corporation as far as they have come to my knowledge on the strictest enquiry.

The popish Bishop of Ferns passes by the name of Dr. Ambrose Walker but his true name is Ambrose Calahan. He is a person who has lived many years in Italy and France and came to reside in Wexford about ten years since, having built a dwelling house adjoining the Friery and Mass-house which Mass-house is as handsome an edifice as any perhaps of that kind in Ireland.

The Friery and Mass-house are built on the foundation of an old monastery and is now the estate of Arthur Neville Jones Esq. I am told this Gentleman or his father renewed the lease to a trustee one Mr. Sutton who took it for the use of the clergy and the public service of their religion and this was done before the registration of the former lease for which reason some gentle-

men of my acquaintance talk much of filing a Bill of Discovery and when the premises are recovered to fitt them upp for a Protestant Charter School which might be done without any great expense and would be very commodious for that purpose. The Popish clergy from severall parts of the County often meet at this Convent. I having asked two of them whom I know what was the occasion of so many of 'em in town. They announced that they came there once every year to an Entertainment at the Friery and would not acknowledge any other business than that of feasting. I fear I shall be thought prolix and can only tell you they are all this fortnight past fled and I know not whither.

1. Ambrose Walker alias Calahan Bishop of Ferns, his residence the Friery.
2. —. Rea Guardian of the Friery.
3. —. Nowlan a frier.
4. Nicholas Sweetman priest of the town. He lodges with John Murphy shop keeper in the Back street.
5. —. Walsh assistant to Sweetman, lives in his own house in John Street.
6. —. Synot officiates in and about the town but he yett got no parish. Lives with his father James Synot near the Gaole.

Besides these there are severall strangers who frequently stay three or four months at a tyme in the Friery and are supposed to be regulars who came here from other counties upon their own secret affairs. WILLIAM HARVEY, Mayor.

The reports from the other towns follow:

Sir—This town is too small to have or entertain in it any of the regular clergy or Popish Bishops. But I have given underneath an account of the Popish parish priests that celebrates (*sic*) mass here and likewise of severall other popish priests within six miles of the town.

Mathew Casey Popish priest of Gorey, lives at Tinnock at his Brother's.

Henry Masterson Papish priest at Ballyhast with Morgan Darcy.

Edmund Dempsey Popish priest at Knockneskagh with his Brother.

Martin Cullen Popish priest at Ballydean with his Brother Redmund.

Nicholas Collier a priest without a parish at Anagh with an old woman.

Nicholas Nevil Popish priest at Ferns generally at the house of Patrick Doyle of the same place.

—. Carr Popish priest at Coolgrany in the Great public House.

—. Morgan Popish priest at or near the same place.

Gorey March 10 1743-4. ABEL RAM.

It is computed that there are ten Papists for one Protestant in this County.

Sir—In obedience to his Grace the Lord Lieutenant's command I send you an account as well as I can collect of such chappels and the priests and Friers thereunto belonging as are in this town. J. LEIGH, Sovereign.

Ross 5 March 1743-4.

One Parish chappel, James Nowlan parish priest and residing in his chappel.

One other Fryery or chappel, Joseph Rossiter, Martin Conner and Joseph Cannon friers or Priests and reside in said fryery.

Taughmon 10 March 1743-4.

Sir—I find that in the Town of Taughman there is one Publick Mass-house and no more which Mass-house I have caused to be locked up and no admittance into it in the shape of the Popish (or any other) worship. I also find that there is one Patrick Redmond who is looked upon and allowed by the Papists here to be a Popish Clergyman in the Mass-house of Taughmon. His place of residence (as I am informed) is at one James Redmond a brother of his at Harveystown in the parish of Taughmon and about a mile distant from the town. As to any other Popish clergymen I don't find any. WILLIAM HORE, Portriff.

Enniscorthy 10 March 1743-4.

I have made strict enquiry for any Popish archbishops, bishops etc. I find none to have officiated here but one Patrick Furlong a reputed Popish priest who lives at Monast, two miles from this town and left his home about a week before the Proclamation came out. These is one Ambrose Walker alias Callaghan a reputed Popish Bishop comes here sometimes but is often at Wexford, whom perhaps the Mayor of that town can give you some account of. JAMES COOKMAN Portreeve.

From these returns it will be seen that apart from occasional outbursts, the persecuting spirit was dying out. But this spirit was often quickened and renewed by the malice of false brethren. In 1751 some unworthy priests had saddened and scandalised the diocese of Ferns. To conceal the exercise of episcopal jurisdiction an instrument was signed jointly by Nicholas Sweetman, Nicholas Synott, William Devereux, and Thomas Broders on October 31st, ordering all the parish priests of Ferns to denounce from the altar and declare excommunicate and accursed by God and His holy Church, James Doyle, Nicholas Nevill, and Nicholas Collier; this denunciation to be repeated on three successive Sundays. The particulars of the charge made against them may be gathered from the case of Doyle.

Whereas James Doyle, priest of the Diocese of Ferns who entered clandestinely into Holy Orders in virtue of pretended or false Dimissories which made his Orders stolen and irregular has ever since been a perfect plague to his diocese by being at variance with every superior he had, and by many and enormous crimes for which, sentence of Excommunication was solemnly pronounced against him on the 28 of June, [and whereas he did] wickedly and rebelliously exercise Pastoral Functions under said Excommunication, and treating the Rev. Mr. Patrick Synot (who was appointed to serve the district of Templeshannon) with violence, scurrility and disrespect, and for beating said Rev. Patrick Synnot treacherously and enormously on 3 September 1751, he is hereby deposed from all ecclesiastical benefices etc. in the Catholic Church etc.

The wretched man, Doyle, now thought of taking advantage of the Popery Acts. Getting into communication with Dublin Castle he charged the bishop, Dr. Sweetman, with being an agent for enlisting men for foreign powers and with levying money on his priests for treasonable purposes. A warrant for the arrest of the bishop was forthwith issued by the Lord Lieutenant.

Dorset.

Whereas we have received information that certain treasonable practices against his Majesty and his Government are at this time carried on in and about the town of Wexford by Nicholas Sweetman Titular Bishop of Ferns and divers other persons whose names are unknown who resort frequently to the house of the said Sweetman in Wexford aforesaid. These are to direct and require you to repair forthwith to Wexford and there make strict and diligent search for said Sweetman, and him and any other persons whom you shall suspect to be concerned in the said Treasonable Practices having found, you are to seize and apprehend together with their letters and papers which you are carefully to examine and mark in such a manner that you may be able to swear to them hereafter if occasion should be and to bring unto us to be examined and further dealt with according to law. And you are hereby further directed to seize the Persons and Papers of James Doyle a reputed popish priest living near the said town of Wexford and bring him and his papers before us to be examined touching the said practices. All Mayors Sheriffs Justices of the Peace etc. to aid and assist. Given this 29 day of November 1751. GEO. SACKVILLE.

To Lieut. Col. Dunbar.

Luckily for the bishop some friendly Protestants were able to get at the truth.

Ballenkeele December 4 1751.

Sir—I beg to acquaint you that Mr. Sweetman of Wexford was taken into custody this day by order of the Government and is to be carried to Dublin tomorrow to be tryed, as we hear, for listing or endeavouring to list men for foreign service and raising money for that purpose. If there are any examinations of the kind, you'll find that our neighbour James Doyle, the degraded priest, was at the bottom of it, who, I think is capable of contriving as wicked a thing as any man living. He has often threatened that he would be revenged if he was not admitted to enjoy his parish quietly. It may be a particular good fortune for the poor Prisoner that you, Sir, in some means know his character and likewise the character of the supposed prosecutor. It would be a great blessing to the public if the same punishment should be inflicted on perjury that is on felony. Mr. Doyle is abandoned by his own Church, can find no refuge there and has I suppose found some scheme to himself of getting bread which will gratify his malice. I am convinced that Mr. Sweetman was never directly or indirectly guilty. Yours etc.

To Sir Arthur Gore. EDWARD HAY.

The bishop as would appear, was examined by a committee of the Privy Council. As a specimen of a rare and at one time almost extinct species in Ireland, he was doubtless regarded with curious interest, and hence the inquiry took a much wider scope than the circumstances warranted. The minutes of the examination are valuable therefore for the general light they throw on this obscure period.

EXAMINATION OF N.S.

That he was in Dublin the latter end of last May or beginning of June, then saw Linegar the Titular Arch Bishop of Dublin. No person of rank then in their company but one.

Said that he came to ordain eleven or twelve young men for the Archbishop who is a very old man and not able to do it himself. Said he ordained for his own diocese about three months ago.

Saw severall priests and friars in town. Nothing then transacted but the Ordination. Saw the Archbishop twice or thrice, and remembered nobody with them but the Bishop of Ossory.

Knows two or three Synnotts.

Knows the Parish Priest of Castleislish who is Vicar Generall of his Diocese.

Did not order him to summon the Clergy of the Diocese.

Had severall meetings about Doyle but no other. Such meetings he called plain meetings to have the advice of his Priests for the exercise of his Function.

Did not denounce Heretics or Excommunicate except for Disobedience, particularly Doyle and one Hagan. Did not abuse

him, and Hagan practiced physick without License. Excommunication ordered against them if they did not leave the Diocese.
Knows not of any Curse on the people if they should tell what passed that day.
Knows not particularly the Parish Wards.
Did not hear of any Spies nor say anything of such at the meeting.
Does not remember any meeting after his return.
Walter Pay, Miles Granell and Hugh McDough Franciscan Friars at Wexford. Pay has been there nine or ten years, Granell two years and McDough as long.
Their Superior Guardian appoints them—Guardian is Superior. There are six or seven Friars more, two of them near Clonmines near Colonell Colcloughs, two or three in Ross, one of one order and two of another. Two have a house the other a lodging.
There are three or four different orders, Franciscans, Carmelites and Augustinians, these are all priests.
Says that he has no jurisdiction over them except on certain occasions about which they dispute. There is one in Wexford, a lay brother, never to be ordained, as assistant in the house.
Belives there may be six fryaries in Diocese, the friars all of this County. Says he has two clergymen who help him to take care of his parish.
In his parish some give him £5 5, some £1 1 some 6½d. In some parishes the priests only get corn and other little things. Collections of Sundays is for the priest. In his parish he gets half the collection and the priests the other half. He has thirty two parishes. They give him a guiney each at the distribution of Oyles, has not above £40 a year from the parish, of which he gives one third to the coadjutor. The collection at his chapel door is about £16 a year. This is the best parish in his diocese yet not above £40 a year, and some accidental things about £10 a year. Common parishes worth about £30 or £35 a year and when he was a priest one year £30, second year £34, third year £42. And they have all Dependents.
He knew Hennessy some time ago who is a very old man. Hennessy was never at his house but he was at Hennessy's last summer. Only a visitation. Says he believes he was provinciall of the Jesuits but is not now. This man used to give letters of recommendation to Spain where there are Foundations for students. Only meat, drink and clothes given to them and stay there but six years. Says he was ordained in Spain.
Says it is not unusuall to ordain Irish here. Generally abroad. The King of Spain took some of their houses. They learn humanity at home, but few learn Greek.
Hennessy was a Clergyman of Distinction.
Fitz Gerald reputed head of the Jesuits and was at Waterford last summer. One Jesuit in his Diocese not settled.
Would discourage these Externs if he could.

Mr. Hervey's meaning of certificates was about marriages as Parish Ministers. That Banns were published in Church and Fees paid.

During the last Assizes the three friars were with him in Wexford but nobody else. The friars have no bed for any strangers. That fryary established before he was born.

His chappel was theirs which with the collection at the door occasioned the Debate.

Never rings a bell but at the Altar.

No Irish officers that he knew of at the Assizes, but last New Year's day one Geoghegan and one Sarsfield in Lallies Regiment were in Wexford. Has not heard of them since except that Sarsfield marryd ill. Does not know their business. Says that Sarsfield said he came to demand Justice against his Brother. Has not heard anything of them since.

Never was privy to any recruiting.

None of them to his knowledge were in any of the Priests houses. The last Recruiter he heard of was Collonel Fitz Gerald about twenty years ago. The collection of money made about six or seven years ago was about an Act of Parliament then made. The collection in his Diocese was £24. Some of the Roman Catholicks in his parish made him think of the Collection. He remitted the money to Mr. Fitz Simons, priest of St. Marys parish, Dublin, who had wrote to him and afterwards acknowledged the receipt and said it had been applied as was intended. But one of the Acts was against forreign education and that the money was to defray the expenses of persons who went with Lord Taaffe. Afterwards saw Fitz Simons at Kelly's, the stationer. Did believe the dropping that Act was owing to those sollicitations. Never got any account of the money. Never heard what the sum collected through Ireland was, knows not whether all was paid to Fitz Simons. Saw him when last in Dublin but asked him no questions about the money. Did not know how otherwise that money was to be disposed of. Never heard of it. The second collection intended against any Acts to be made this winter, but nothing collected as no such Acts seemed to be proposed. Did not know what they were to have been.

Sometimes they make charitable collections.

Knows Michael Connon parish priest of Ferns.

Did not know of any Irish officers with him.

Did not hear of any Captain Sullivan being here but heard of his being in the Rebellion.

M. Connon was once a School Master, marryd, went abroad a Priest and returned in three or four years. Never heard of him inlisting men and had it been, believes he should not have been made acquainted with it except he should heare it in common discourse.

Saw him about five weeks ago at a funerall. Believes that if he did inlist, he should not have Intelligence. Would give notice to the Government if he knew of such Practices.

The friars have no arms as he believes.

There are twenty four Bishops and Archbishops. Leighlin and Kildare go together. Archbishops cannot visit without an Order from the Provinciall Council. No Provinciall Council in his time or many years before.

Linegar has been Archbishop eighteen years. Reilly is primate. Never saw him nor had any correspondence with him. Knows Butler Bishop of Cashel and Emly—the old Gentleman. Does not know the other his Coadjutor.

Coadjutors are appointed by the Pope.

Has been twenty six years parish priest. Made Bishop in 1745. Dr. Walker his predecessor.

Fryars in general increased considerably. Knows not the reason. None but vagrant fryars itinerant. Provincial can suspend them, excommunicate them and order corporal punishment.

A Provinciall to each Order.

Believes they meet in Dublin.

Provinciall accountable to their Generall.

Corresponds with the Nuncio at Bruzelles on any dispute, he having the Jurisdiction here. His name is Crivelli. He sends his Answers in Lattin.

The Pope appoints all Bishops which is sometimes on a postulation from the priests of the parishes.

Applications to the Pope are sent to the Nuncio or some friend abroad.

Was consecrated by Linegar. Linegar has no coadjutor, but Fitz Simons, Vicar General, acts and Mr. Clinch.

Unknown to him there could not be any number of foreign officers in the country. Says the 3 fryars are well behaved. Their provision is half the Collection and what they get by begging.

Was made Bishop on a postulation.

Had no intimation of the Rebellion [1745] or relating to it. The priests did tell one another what news they met with but did not know any that had a correspondence abroade.

M. Cannon did write to him when his Predecessor dyed that he would serve him, but did not write—neither did any body else write to him—about State affairs.

This examination created such a favourable impression that the bishop was forthwith released.

Dorset.

We hereby direct and require you forthwith to discharge out of your custody Nicholas Sweetman And for so doing this shall be your Warrant. Given 21 December 1751. GEO. SACKVILLE

JAMES BUTLER Esq. Pro. Mar. General.

In Kilkenny just as in Wexford and several other counties the magistrates though never so willing, confessed that without adequate military support the popery laws were impossible of execution. In 1708 when the proclamation came down authorizing them to summon before them all Catholics of position to take the Oath of Abjuration, Adam Haydock, Mayor, and the Aldermen replied (3rd April):

> The Protestants of this City I may say are but a handful in respect of the Popish inhabitants who will not take the Oath of Abjuration, it being refused by the cheife of them though tendered by me. And without the City we are in a way surrounded by that inveterate and implacable enemy. Therefore I do entreate that arms and ammunition may be sent as also the Commissioners of Array.

This complaint would soon seem to have been removed for four years later the mayor wrote in a more confident tone:

> Kilkenny 27 September 1712.
>
> Sir—According to the orders and decrees of Proclamation I proceeded and this morning I sized (*sic*) a priest who ownes himself to be one and that he has left France about fourteen months agoe; he calls himself Mahir and sometimes he is called ffather Michaell. I cannot gett him to speake much which I take to be a Cunning in him. I have it from my good hands that above thirteen priests from France, Portugall and Spaine, has (*sic*) been lately in this towne but cannot learne what has become of them. Nor did they appeare in the day time. I do not wondr that I missed of them for they had a printed proclamation to leave before I had mine and they had all sorts of news much sooner than the Magistrates. The Mayor elect will be sworn on Munday next. Pray let him know the Government Commands concerning ffr. Michell Mahir.
>
> To J. Dawson. WILLIAM BAXTER, Mayor.
>
> [Endorsed] to keep him in Custody, to be prosecuted according to law.

The secrecy which the mayor took to be "a cunning" was the great difficulty his successors also experienced in dealing with priests. On 7th June, 1714, Thomas Blunt, Mayor, writes to Dawson that he has issued warrants in accordance with the Act, 8 Anne, c. 3, sec. 21, to the "most noted of the Papist Leaty" of the city compelling them to appear before him on the 9th inst., and give evidence when and where they were last present at mass and who celebrated it. On 12th June the Mayor and Justices of the city relate the result.

They met and expected severall of the Popish inhabitants who were summoned. Yet only one appeared who gave information that Sunday the 23 May last he heard mass celebrated by Thomas Cantwell, against whom a warrant is issued.

Whether Cantwell was captured or not does not appear but to judge from the Corporation books, the efforts to get rid of the priests were continued with commendable zeal.

Presentments of the Grand Jury at a General Assizes held in and for the County of the said city the 2 day of August 1715.

We present Father Cashell for celebrating Mass in the parish of St. Canice in the Libertys of the citty of Kilkenny on Sunday the last day of July 1715, being noe registered priest of that parish or any other within the county of the said citty; we received this information from John Minoge, Broguemaker.

This priest Cahill had shown intolerable hardihood, for at a time when popish worship was extinct in Kilkenny he had ventured to say mass. The 21st June previous James Agar, the Mayor, complaisantly informed the Dublin Council:

I have committed all the popish priests, and such other papists as we apprehended capable of giving any disturbance, and have them now securely confined.

In the country parts of Kilkenny it does not seem the secret was as well kept as in the city. The high sheriff, Oliver Cramer, writes to the Lords Justices, 5th July, 1714, enclosing reports:

The Earl of Cavan and Josias have taken Informations against Edmund Fitz Gerald a popish priest for celebrating mass who is registered but not taken the Oath of Abjuration.

James Agar and Ralph Gore have taken Informations against Richard Long and William Walsh popish priests for saying mass, who are registered but not taken the Oath.

Tobias Caulfield, Ebenezer Warren and William Flower have taken Informations against Michael Phelane and Edward fitz Gerald popish priests for celebrating mass, who are registered but not taken the Oath. Also against Richard fitz Gerald and Michael Cane popish priest as Coadjutors.

The subsequent proceedings against these priests were not reported to the Privy Council. But it seems they put themselves upon the country and evaded the law. For on the 25 October following, Cramer writes:

In obedience of their Excellencies the Lords Justices and Councils Commands, he pleased to signify to their Excellencies that there

was only one Martin Archer a popist priest convicted in this County for celebrating mass not taken the Oath. Which said Martin Archer by order of the last Assizes was to be transmitted to Waterford to be transported pursuant to the Act and according to the warrant to me. I have transmitted him and have a receipt from the Sheriff of Waterford for him.

[Enclosure].

Co. Kilkenny. At a Generall assizes and Generall Gaol Delivery held at Graces old castle in and for the said County the 17th day of July, 1714.

Whereas Martin Archer now in your Custody was at last summer Assizes indicted, tryed and convicted of three severall Indictments for that being registered popish priest of the parishes of Tubrid, Urlingford and Killahey and not having taken the Oath of Abjuration did on the 6th of January at Lughamy, on the 25th of December at Craddockstown, and 7th of October at Lughany, celebrate mass and exercise his priestly function contrary to the form of the statute in that case made and provided. These are therefore to command you on sight hereof forthwith to transmit the body of the said Martin Archer from the common Gaol of the County to the common Gaol of the County of the Citty of Waterford, there to remaine without baile or mainprise until from thence transported beyond the seas. And for soe doing this shall be a sufficient Warrant. per Ordin. Cur. WILL. HAMILTON D. C. Cora.

To the Sheriffs of the County of Kilkenny and the County of the Citty of Waterford.

As the difficulties of capturing the priests were great, and still more the difficulties of obtaining evidence to convict them when captured, a professional priest hunter operated for some time in the neighbourhood. In the Civil Correspondence is a letter to Chief Justice Foster dated 18th October, 1717. The writer, one William Dymond makes a touching appeal to the judge. He sets out the sufferings of his "poore helplice family" and goes on to remind him "Your Lordshipp sent me to Goren to the Hon. Esquire Ram, about to discover the men that wase to serve the pretender, and alsoe my charges in seizeing the severall Popish Vestments and Mitters [mitres] which came into the kingdom." He proved however no better than his class, for the endorsement on the petition is "Received from Lord Chief Justice who says he hears Petitioner is a dangerous man."

Of the outbreak of persecution in 1744 there are a few memorials. James Fielding, the Portreeve of Irishtown, writes on 20th March, 1743-4 :

The following are generally resident and among us. Two Popish priests, Patrick Murphy, and the place of his abode is at Mr. Thomas Murphy's Green St. and Walter Walsh at Widow Rydings, and four friers or reputed friers, John Newman and the place of his abode at Mrs. Luke Newman, Fr. Lary at Widow Downs, Fr. Morris and Smyth at an old house near fryers Bridge. I am informed they did all abscond a few days before the Proclamation and do believe it true, not meeting with any of them when I was on search assisted by all the Protestant Inhabitants.

The next will fittingly end the notices of Kilkenny. According to the law of the period if a man fled from, and successfully evaded justice, the grand jury petitioned the government and on sufficient cause shown, the latter issued a proclamation declaring the offending person to be "a Tory, robber and rapparee out in arms and on his keeping and not ameanable to law." The effect of this was that he might be seized, hunted, or forthwith shot at discretion.

County of the City of Kilkenny to wit—
At a General Quarter Sessions of the Peace held at the old Tholsell in and for the County of the said City, the 15th day of April 1744.
Whereas the said Grand Jury then and there Impannelled and sworn did among other things make the following Presentment to wit—
Whereas it appears to us that Colman O'Shaughnessy was at the last Generall Assizes Presented as titular Bishop of the Diocese of Ossory and forasmuch as wee are credibly Informed that the said Colman O'Shaughnessy was Domestic Chaplain to the Pretender to his Maiesties Crown and was at the Immediate instance of the said Pretender presented to the see of Ossory as Bishop thereof and that the said Colman O'Shaughnessy still Remains at Large in this kingdom and not apprehended. We therefore present the said Colman O'Shaughnessy as a Dangerous Enemy to his Maiestie's Person, Crown and Dignity and to the Protestant Religion as by Law Established and Pray that this Honourable Court may cause this our Presentment to be laid before the Chief Governors of this kingdom.
Whereupon the Court accordingly hath ordered the said Presentment to be laid before the said Chief Governors.
Dated as above. Examined by William Walters Dep. Clk. of the Peace.

The Chief Governors were not agreeable to the petition and the endorsement runs "the person presented, not presented as a Tory, Robber or Rapparee. Nor is there any Examination to support the said presentment."

In Carlow where Protestants were more numerous than in other counties of Leinster the administration of the popery code pursued a more even tenor, and the intervention of the executive was rarer. But some interesting letters are to be seen:

Carlow 9 October 1713.

May it please Your Excellency.

I have lately mett with so particular behaviour in one Bowen, Registered priest of the parish of Carlow that I think it incumbent on me to lay it before your Excellency that I may receive your directions at a time that the Rigour of Law in his case seems to be in some measure dormant.

On Michaelmas day last being obliged to goe to Carlow to be sworn Soveraigne of the Corporation being elected on Midsummer day before, which the Priest could be no stranger to nor to the Highway from my house to Carlow in which I found him with a large congregation of people all uppon their knees except the priest who was in his surplass with a Cross mounted on a stick or something like it in his hand. Passing through the body of the People celebrating mass as must be supposed though I heard not a word spoke neither made the Priest any answer when I reprooved his impudence in meeting so barefaced against the known law of the kingdom. Which looked as if he did it in defiance of the law and magistracy.

If I am any way out in this application to your Excellency I hope my intentions being good will plead my pardon who am your most humble servant. THO. BURDETT.

What action was taken is unknown. The priest continued to officiate.

Staplestown June the 7 1714.

May it please your Excellencies and Lordships.

The laws against Popish priests who have not taken the Oath of Abjuration and yet officiate, have been putt in Execution as farr as the Justices of the Peace were Impowered to doe by taking examinations and granting warrants therein. Particularly against Joseph Bowen Registered popish priest of the parish of Carloe, David Byrne Registered popish priest for the parish of Rathvilly and Charles Nowlan Registered popish priest of the parish of Tulloe and also severall others by warrants from the Quarter Sessions for not appearing on being summoned. I have the honour etc. RICHARD VIGORS.

There was much milling and but little flour, for four months later the high sheriff had to write:

Sir—According to their Excellencies the Lords Justices commands I give you an account that since I have been sheriff there have

been noe priests in the Gaol of this County though some time before there was one who dyed in the said Gaole. I am etc.
Carloe Oct. 28 1714. RICHARD VIGORS.

This was not encouraging. Still the hunt was well sustained the following year, as a kinsman of the sheriff testified:

Ballynakill Feby. 9 1715.
Sir—I made search in severall suspected places for a Priest that was reported to have been lately in my neighbourhood but could not find him and I am credibly informed he is fled out of the country. But if he returns I don't doubt giving the Government a good account of him. Yours
To J. Bugell. THO. VIGORS.

As the years passed, Protestants could sleep soundly though mass was being said around them. But from time to time there were certain forms of popish aggression which were more than flesh and blood could bear.

My Lord—The great insolence of the Papists in this County and their audacious proceedings occasion me to give your Lordship this trouble. There was a priest taken last week by Mr. Wolseley for marrying a Papist to a Protestant and accordingly was ordered by him to be carryed to Carlow Jail but was mett by the way by near 500 people and rescued from Mr. Wolseley's servants and the Constable.
Since which examinations have been taken against the rogues who rescued him. Notwithstanding which they walk the street publickly here, so great a party to support them that nobody must attempt to take them. They have already attempted to murder a Justice of the Peace and a trooper who gave examinations against them and threatened Mr. Wolseley, Mr. Preston the Parson of the Parish and several other gentlemen.
I write this at the desire of Mr. Wolseley, Mrs. Burton and severall others to beg your Lordship will lay them before the Government that we may have an order for the troops to assist us in taking of them which we intend doing next Monday, so hope your Lordship will get the order for us against that time.
I assure your Lordship if this is not done there will be no living in this county nor must any persons appear for his Maiesties government without venturing their lives. I am
Your Lordships most dutifull servant
Burtonhall 3 Aug. 1739. BEN. BURTON.
To Lord Duncannon.
This affair must be very secret for fear they should hear of it and run away.

The arrest of a priest was a service of considerable risk. In 1751 we find a proclamation issued against the persons who assaulted George Brereton, high sheriff of Carlow, because he had apprehended John Taaff a popish priest,—the same perhaps who is the subject of the following notice:

Carlow March 8 1743-4.

Sir—There was one John Taaf who had a house in this town and Parish Priest of the same and constantly exercised Ecclesiasticall Jurisdiction here, and upon receipt of yours I went in search for him in order to apprehend and commit him but he has made his escape quite out of this town and county, but where I cannot find. I know of no other person exercising Ecclesiasticall Jurisdiction. Yours etc.

To J. Lyons Esq. PHIL. BERNARD, Sovereign.

From this date for seven years Father Taaf was "on his keeping"; his fate we learn from the following:

Dorset.

Whereas at a General Assizes and General Gaol Delivery held for Co. Carlow 17 March 1743 John Taaffe was presented by the said County for that he being a Popish Priest did take upon himself to exercise the duty and office of a Popish Priest not being Registered against the Statute, and that at a General Assizes and General Gaol Delivery held in said County 23 March 1752 the said John Taafe submitted to the said Indictment and was thereupon ordered by the Court to remaine in Gaol for the space of twelve months and to be afterwards transported as we should think fit. Upon some favourable circumstances submitted to us in his behalf we think it fit to extend his Majesty's mercy vnto him as to the said Confinement. These therefore are to direct and require you to draw up a Fiant containing his Majesty's Pardon as to a poor man, to him the said John Taafe of that part of the sentence directing him to remaine in Goal for twelve months and in the said Fiant insert all such beneficial clauses as in grants of like nature. Given this 11 day of May 1752.

To the Attorney and Solicitors General. GEO. SACKVILLE.

George [Archbishop of] Armagh, Newport Chancellor.

Whereas at a General Assizes and General Gaol Delivery etc. etc. and Whereas the said Taaffe has been removed by virtue of a Habeas Corpus into your Custody in order to plead the said Pardon which Pardon he having pleaded in his Majesty's Court of King's Bench the same has been allowed. We do hereby order and direct that the said John Taáffe with the first opportunity be transported to the kingdom of France or Spain and that the Lord Mayor of the Citty of Dublin do take sufficient security by Recognisance from the Master of the Ship into

which he shall be delivered for that Purpose to land the said John Taaffe in the kingdom of France or Spain accordingly. Given this 17 July 1752. THOMAS WAITE.
To the Lord Mayor and Sheriffs, Dublin.

The particulars of the working of the code in Kildare are even more scanty than in Carlow. The open character of the country made concealment especially difficult, and the Catholic population must have been very sparse. In 1708 on the coming down of the proclamation to arrest and imprison all priests, the work was carried out with singular efficiency.

Castledermott 1 April 1708.
Sir—All the priests of this County are taken and in custody Except one Balfe who left the country about two years past and one ffagan who is very sicke and weake. So that of thirty priests who were registered for this County there are five dead one sicke and one quitt the country and all the rest Imprisoned besides one priest of the County Wicklow taken in this County.
I am Sir etc.
To J. Dawson Esq. JEFFRY PAUL.

Four years later when the Council made a determined attempt to arrest the archbishop of Dublin, Dr. Byrne, Dr. Nary, the parish priest of St. Michan's, and a Franciscan named Burke, they were supposed to have taken refuge in Kildare. On 20th September, 1712, the Lords Justices and Council issued a proclamation that an unlawful society of nuns was removed from Galway to Dublin by the pretended order of a Brother John Burke of the Order of St. Francis and Provincial of Ireland who has fled from arrest. Other popish regulars and Dr. Byrne and Dr. Nary, of Dublin, popish priests have exercised jurisdiction. They are to be arrested. Laws against ecclesiastical jurisdiction to be enforced; all unregistered priests, all curates and coadjutors, all registered priests who have not taken the Oath of Abjuration to be arrested. All instruments, papers and letters relating to ecclesiastical jurisdiction to be seized; the Oath of Abjuration to be tendered to all priests. A strict account will be demanded of all magistrates.

Naas 25 Septr. 1712.
Sir—This day I received from the Sub-Sheriff of the County of Kildare a Proclamation for the taking and apprehending of John Bourke, Dr. Byrne and Dr. Nary and immediately I went to the house of Captain James Eustace of Yeomanstown in this

neighbourhood where Dr. Nary has been for these three or four months past, and made diligent search for the said Doctor but could not find him but was told that the Doctor was gone this day to surrender himself to the Government and that the search should have been there yesterday in order to apprehend the said Doctor. Yours etc.

To J. Dawson Esq. FFRANCIS SOTHEBY.

There is a suggestion in the concluding sentence that the people at Yeomanstown were in common parlance "pulling the leg" of the magistrate. If Dr. Nary went to surrender himself, he changed his mind on the way, for he took excellent care to keep out of the hands of the authorities. The following is further correspondence from the same locality:

Naas 12 June 1714.

Sir—The magistrates met on this date and received severall examinations against Popish Registered priests that celebrate mass and have not taken the Oath, and also against a popish schoolmaster. They have granted warrants against all these.

Several of the Justices met at Maynooth on the 10th instant and took examinations against a Registered priest and a priest not registered and against two popish schoolmasters and granted warrants.

Several other magistrates met at Timolin and elsewhere and took examinations against registered priests etc.

The priests have absconded themselves at present but all diligent care shall be taken by me to putt the said warrants in due execution. BRABAZON PONSONBY Sheriff.

To J. Dawson.

Naas 24 October 1714.

Sir—There is only one James Eustace a popish priest under sentence of transportation in my Gaole. He was convicted before my being a sheriff. I received no order for his transportation else I would have sent him away before now. He is in close confinement. I shall be ready to dispose of him as their Excellencyes shall direct. BRABAZON PONSONBY, Sheriff.

Evidently the magistrates of Kildare acting under the eye of the executive carried out their duties efficiently. Well on in the dawn of toleration the following reports went up:

Athy 6 March 1743-4.

Sir—I cannot find there is or has been any Popish priest or regular popish clergy in this Corporation. The priest that has officiated in this parish is one Daniell Fitzpatrick who lives in the Queens County about two miles from this town. Jo. JACKSON.

To J. Lyons Esq.

In a deposition sworn before Sligo magistrates we get an interesting glimpse of how the priests of Kildare ministered to their people in those days.

The Depositions of severall Persons taken before us Percy Gethin and Robert Lindsey Esquires 11 November 1712.

Cormock McGloen of Carrowmore in the parish of Killaspickbrewn in the barony of Carbery, yeoman who being duly sworn and examined saith that in his road coming from Dublin homewards about eight days agoe he heard mass said in a waste house at Killcock and that the persons there present were all strangers to him except Stephen Crane of Sligoe and those of his own company who were then coming from Dublin and that he did not know the priest that did then celebrate. Further this Examinat saith that he heard mass at Drynahan in the parish of Killaspick from one McDonnah who was a young priest and that was about two months ago and he believes he may be a young friar because he did begg money.

On the 23rd October, 1714, the high sheriff of Meath amongst others was directed to make return what popish priests were under sentence of transportation in the county jail. As he did not reply a further missive was sent on 14th December. The return is not now discoverable. But that the popery acts were duly enforced appears from the following:

To their Excellencies the Lords Justices etc.

The humble petition of Charles Woodward late High Sheriff of Meath.

Sheweth That your petitioner apprehended one James Plunket a Popish priest for saying Mass out of the parish for which he was registered, contrary to the Statute. That at the Assizes held for the County of Meath 9 July 1716 the said James Plunkett was tryed and convicted for saying Mass in the parish of Kilsker in the said County being only registered Priest for the parish of Killeagh and thereupon ordered by the Court to be transported pursuant to the Statute at your Petitioner's prosecution as by Certificate enclosed.

That your Petitioner was at great trouble and expense in prosecuting the said James Plunkett and prays the Reward mentioned.

The only other particulars of County Meath obtainable are the returns from Trim in 1744. On 22nd March John Fox, Portreeve, acquaints the Council:

I have made a diligent search and in a most solemn manner examined and interrogated the popish inhabitants of the said Corporation and I did not receive any information relating to the priests.

This was elicited by a demand for details as in a reply of 8th March, he had contented himself with stating he knew of no one exercising popish jurisdiction within his liberties.

From the neighbouring county, Westmeath, we have fuller accounts. The Grand Jury in 1714 after reciting the names of the registered priests of the county, some of whom would appear to have taken the Oath of Abjuration, presents a short list of those offending against other sections of the Acts.

That Charles Deal of Ballintullagh Registered Priest is dead and that Dease now officiates in his stead.

That ffrancis ffitz Simons registered priest of the Parish of Rathcourath (Titular parish Priest) and fforking is dead and is succeeded by Edmund Cormock now dwelling in Mayvore.

That Dominick Nugent Registered priest for the Parish of Dysart is bed ridden and that Bryan Cormock officiates.

Some further proceedings in that year are reported by the High Sheriff.

17 June 1714.

In the Barony of Fertullagh one William Warren unregistered popish priest has sometimes officiated, against whom a particular warrant was issued by Mr. Rochfort, Mr. Bertles and Mr. Handcock but he could not be found. No popish school-masters neither any children sent away for foreigne education.

In the barony of Moycashell there hath been diligent search made for one James Dillon a Popish priest who is registered but hath not taken the Oath. He cannot be yet found. J. WEST.

In reply to an enquiry about priests :—

October 30 1714.

There was one Neal McNerny alias Leary found guilty before Mr. Lord Justice Doyn at the last Assizes and the said McNerny obtained an order of transportation.

Looking through old Dublin newspapers one is surprised, at a period when the laws were supposed to have lost their sting, at meeting such items as :

Mr. Luke Tyrrell was convicted at Mullingar Assizes of being an unregistered Popish Priest and ordered for Transportation (Pue's Occurrences 31 August 1742).

A search in the records however, cleared up the matter. It is to be observed that in the Act 2 Anne, c. 6, the first section ran :

If any persons shall seduce, persuade or procure any person that shall profess the Protestant religion to forsake the same, and

to profess the Popish religion, or reconcile them to the Church of Rome, persons so seducing, as also every Protestant who shall be so perverted and reconciled to Popery shall for the said offence being thereof convicted, incur the penalty of premunire.

The following therefore is intelligible :

To his Grace the Lord Lieutenant etc.

The humble petition of Francis Morley son of Jane Morley Widow. Sheweth—

That Jane Morley petitioned your Excellency that her daughter Jane Morley a Protestant had been carried away and seduced to the Popish Religion by Luke Tyrrell a popish priest and prayed the said Tyrrell would be prosecuted. That said Petitioner prayed the said Tyrrell would be prosecuted. That said Petitioner expended £11 2s 3½d in pursuing and apprehending and procuring witnesses to prosecute said Tyrrell at last Assizes of Mullingar when he was convicted of being a popish unregistered priest.

He concludes by praying an order for the money spent and encloses a bill of costs which included the item "a man and two horses to Dublin in pursuit of Tyrrell."

John [archbishop of] Armagh, Robt. Jocelyn.

We direct and require you to take effectual care that Luke Tyrrell a Popish unregistered priest now under a Rule of Transportation and in the Gaol of Newgate be forthwith Transported out of his Majesty's Dominions and carried to some part or place in the Dominions of the States General of the United Province. Given 27 May 1743. J. POTTER.

To the Lord Mayor of the City of Dublin.

For the year 1744 there are three reports :

17 March 1743-4.

I have made strict enquiry within my jurisdiction and called to my assistance two of the Justices of the Peace who summoned before them severall of the Popish inhabitants and took their severall depositions upon Oath. By which it appears that one Stephen Egan reputed popish Bishop of the Diocese of Meath celebrated mass in the popish chappel of Mullingar in said County lately and performed the Ceremony of Confirmation of Children in the Mass house of Mullingar aforesaid but where or with whom he resides I cannot find.

I further find that there is a Friery at Multifarnham in said County Inhabited by Peter Hughes, Francis Darcy, —. Delamer, —. Pettit, —. Gaynor, and humbly pray the Lord Lieutenant's warrant for suppressing said Friery with a proper command of the standing army quartered at Mullingar. No civil power I

can raise being sufficient it being a popish neighbourhood and no orders for arraying the Militia of the said County.

I also find that Barnaby Barnewell and Walter Duffy popish priests reside in a house near the chappel in Mullingar aforesaid. That one Charles Reilly is a popish priest of the parish of Killucan and one Garrett Reilly is a popish priest of the parish of Raconnell in said County. That I have used my utmost efforts to have the said Bishop Friers and priests apprehended but cannot. Yours etc. JAMES SMITH, Sheriff.

Mullingar 8 Mar. 1743-4.

Sir—I have made strict enquiry and am informed that there was one Barnaby Barnwall who did officiate as a popish Clergyman in the Mass house at the back of the town of Mullingar and that he had one Walter Duffy an other popish Clergyman as his assistant and that the said Barnwall and Duffy did reside and dwell in a house together adjoining unto the said Mass house. But that of late the said Barnwall and Duffy either consale themselves very Close or have removed quite out of the neighhourhood. This is all I can learn at present. Yours etc.

BEN. SPAU Seneschall of the Manor.

Athlone 7 March 1743-4.

Sir—I have made and caused to be made careful and diligent enquiry and do find that there hath been lately in this town a seminary of fourteen Regular Friers who upon the late Proclamation have separated and withdrawn themselves to places to me unknown, and that there were two parish Priests in this Burrogh who have likewise withdrawn, and I know of no other popish Ecclesiastical Persons whatsoever that have orders or exercise any ecclesiastical jurisdiction. Yours

JOHN PLUMMER.

A Father Dalton in the beginning of 1751 became for some reason or other obnoxious to the magistracy in the neighbourhood of Killua. The following was sent to Secretary Waite:

25 January 1751-2.

Sir—I have this day intimation that Dalton is Coadjutor to Nugent and Barnwall and lives alternately at each of their houses. This affair must be conducted with the greatest caution and resolution as I am certain that upon the least hint given, there would be a numerous Mobb of Papists ready to rise and rescue him from the hands of Justice. Yours

BENJAMIN CHAPMAN.

The earliest report from Longford is:—

Longford 28 March 1708.

Sir—I have some of the priests in custody and the rest I shall get in this week except some that were not registered that has

made their escape. You may assure their Excellencies that no care or diligence shall be wanting att this so necessary juncture, for her Maiesties service and the preservation of our religion and country. RICHARD AUCHMUTY.

To H. Poultney Esq. att the Castle of Dublin.

In 1714 we find :—

County of Longford, Return to the Instructions of the Government. We answer that—

George Muldoon popish priest of Cashel is dead and that Patrick Howlan is come in his stead.

Charley ffarrell popish priest of Rathline is dead and that Patrick McCaherty is come in his stead.

Garrett ffarrell popish priest of Mastrum is dead and Oliver Stephens is come in his stead.

That Thady Murtagh popish priest of Killacouroge and Shruar is dead and Bryan McHugh is in his room who was formerly convicted for marrying a protestant and papist together contrary to the statute. He was transmitted to Dublin in order to be transported, he made his escape and is on his keeping.

Morgan ffarrell popish priest of Abbylara is dead and succeeded by Miles Reilly and Fergus Lee.

James Reilly popish priest of Granard is dead and succeeded by Miles Reilly.

Patrick Kearan popish priest of Killeshee and Bally McCormack is alive and has given no security.

Bryen Reilly popish priest of Kilumkill is alive, one of his securities is dead.

ffrancis ffarrell popish priest of Killoe alive, one of his securities dead.

Lewis ffarrell popish priest of Tagh Shenan, Taghshevem and Abby. Shrewell alive, one of his securities dead.

Fergus ffarrell of Killoe alive, one of his securities dead.

ffergus Lee popish priest of Castlenugent alive. Brought us no suretyes. Not allowed as registered.

Bryen McHugh popish priest of Cashell alive one of his securities dead.

We know nothing of any popish regulars or reputed regulars Assuming any jurisdiction.

We know of no persons who have transgressed the Act of foreign Education. ROBT. NEWCOMEN cum Sociis.

A curious case illustrative of the proceedings under the marriage acts may be mentioned here. Bryan McHugh was registered parish priest of Cashel in the County of Longford in 1704. Four years later he married a pair who to judge from their names, Edmund Geraghty and Elizabeth Byrne, were Catholic enough in all

conscience. But the consequences are detailed in a whole series of documents at the Record Office.

To his Grace James Duke of Ormond Lord Lieutenant etc.
The humble petition of Bryan Hughes a poor prisoner in New Gate in Dublin.
Sheweth That your Petitioner was at the Lent Assizes held at Longford Indicted and tryed for marrying one Edmund Gyreaghty and Elizabeth Byrne on the 12th of August 1708 upon the allegation that said Byrne was a Protestant and Gyreaghty a papist at the time of their marriage.
That your Petitioner knowing himselfe Innocent of the Crime stood his tryall and before he was prepared was found guilty and received the sentence to be transported.
That the said partyes being examined by the Justices of the Peace for the County of Longford declared on the Holy Evangelists that they were both of the Popish religion all along, before their marriage, at the time and ever since.
May it please your Grace to referr the allegation to this petition to Mr. Sergeant Neave before whom he was tryed to report the whole matter.

Sent apparently as an enclosure was—

Co. Longford. Information of Edmund Gyreaght and Elizabeth his wife taken before John Wilson and Thomas Kennedy, Justices of the Peace for said County.
Who being sworn on the Holy Evangelists say that they are of the popish religion and were married by Mr. Bryan Hughes on the 12th of August 1708 and further depose that they did profess the popish religion at the time of their Marriage etc.

There is no endorsement on the petition. Government was then, 1708, in a paroxysm of anti-Catholic frenzy, and McHugh got short shrift. We might suppose therefore that from prison he was securely escorted on board ship and was now beyond the seas, meditating on the justice of Irish law. Not at all; he made his escape from Newgate, and back to his diocese. There he exhibited triumphantly in the faces of his prosecutors an order for his release from prison, signed by Joshua Dawson, the Clerk of the Privy Council himself. But later on it was discovered that the discharge was a clever forgery concocted by McHugh. Accordingly the Grand Jury now presented him as a tory and a rapparee out upon his keeping and offered rewards for his recapture. Run to earth at length, he was at once marched to Dublin for transportation. Yet incredible as it may appear, on 11th July, 1712, he was at

large again. On that date the Lords Justices issued a proclamation setting forth much of McHugh's history and offering £20 reward for his apprehension. Notwithstanding the presentments of the grand juries, the rewards of the executive and the efforts of the priest hunters, three years later he was reported to be ministering in the diocese of Ardagh. But however long the fox runs he is caught at last.

To their Excellencies the Lords Justices of Ireland.

The Humble Petition of Timothy Kinnett and Thomas Cursen.

Humbly Sheweth—That one Bryen McHugh was formerly at an Assizes held for the County of Longford convicted of celebrating a marriage between a Protestant and a Papist contrary to the Statute and thereby incurred the penalty of a popish regular and was ordered to be transported. In order thereunto he was transmitted to Dublin but the said priest made his escape, was again apprehended and a second time either was registered or escaped. Upon which the Lords Justices in 1712 issued a proclamation with a reward of £20 to apprehend him. That your Petitioners at their great expense and hazard of their lives did last winter apprehend and bring before Sir Robert Newcomen a Justice of the Peace for the County of Longford, said Bryen McHugh, who committed him to the Gaol of Longford where he remained until run to Dublin by habeas Corpus in order to be transported. The premises considered may it please your Excellencies to grant the reward etc.

[Endorsed] That an authentic certificate be produced that they are the persons who apprehended Bryen McHugh.

This was forthcoming:

On or about the first day of May last the said persons apprehended Bryan McHugh and brought him before me.

Signed 18 December 1716. ROBERT NEWCOMEN.

On 10th March, 1743-4, James West, high sheriff, wrote enclosing:

The names and places of Abode of all persons being or supposed to be Popish Archbishops, Bishops, Vicars General, Deans, Jesuits, monks, or Friers and other Popish clergy, and all other popish persons exercising any ecclesiastical jurisdiction within the County of Longford returned by me James West Esq., High Sheriff of the said County pursuant to command of his Grace the Lord Lieutenant and Council of Ireland.

No. 1. Patrick McGary of Longford Vicar or Priest of the parish of Templemore.

2. Thomas Byren Popish Bishop of the Diocese of Ardagh and vicar of Taughshimat at Carrickedmond.

No. 3. John Byren of Tarnaght vicar of parish of Templemichael and of Maydaw parish.
4. Patrick Flynn of Clogh vicar of the parish of Killcomick.
5. Maurice Ferrall of Ballymalion vicar of the parish of Shrewle.
6. Patrick Farrell of Mullavorney assistant in the parish of Shrewle.
7. —. Nangle of the same assistant in the parish of Shrewle.
8. Francis Donnelly of Claris vicar of the parish of Cashill.
9. Garrett Farrell of Ballinulty vicar of the parishes of Killglass Rathreagh and Aughera.
10 Patrick Kevinan of Ballinulty vicar of the parish of Columkill.
11. Richard Ratigan of Aghakieran vicar of the parish of Killishee.
12. Michael Farrell of Ballagh vicar of the parish of Cloonygeese.
13. Francis McCartan of Drumlish vicar of the parish of Killaw.
14. James McKernan neere Shossduff vicar of the parish of Lower Killaw.
15. Mathew Bready of Laughill vicar of the parish of Cloonbroney.
16. Laurence Byren of Edgeworthstown vicar of the parish of Masstrym.
17. Brady neere Edgeworthstown assistant in said parish.
18. Hugh Brady sometime of Edgeworthstown sometime assistant in sd. parish.
19. Fergus Lee of Castlenugent vicar of Granard parish.
20. —. Murtough of Barnygone vicar of Ardagh parish.
21. Hugh Flynn of Killnatan vicar of one part of the parish of Killaw and Templemichael.
22. Thomas Stephens of Coolerny vicar or assistant of Temleml. parish.
23. —. Dengnan of Abbylarah vicar of Abby Larah.
24. —. Roddy sometime in Granard assistant in Granard parish.
25. Peter Clyne of Ballynemanagh assistant of Taughshinny parish.
26. Michael Farrell of or near Castlenugent vicar of the parish of Street.

Returned this 8 day of March 1743-4

JAMES WEST, Sheriff.

John Johnston, seneschal of the manor of Granard, wrote 10th March, 1743-4 :

I doe affirm that there is not any popish priest or popish clergy whatsoever living within my liberty. It is true that there is a Mass-house in my jurisdiction where mass used to be celebrated by one Owen Ruddy but the said Mass-house is shutt up this fortnight past. The said Owen Ruddy lives in the Sheriff's

Liberty which Sheriff I make no doubt will inform you of his abode and of many others who lives within his return.

As an evidence of growing toleration, more than four years before a Dublin newspaper chronicled the death of a bishop of Ardagh. The notice is curious as it shows an interested contempt of the sort the old Romans felt towards the Church when emerging from the Catacombs.

Dr. Mulligan Titular Bishop of Ardagh died 23 July [1739]. He belonged to the Augustinians, was a missionary in Scotland and Provincial of his order in Ireland. What is most observable of this illustrious Defunct is that during the eight years of his being Bishop, he never Ordained one, and often bemoaned some of his Confreres who are too ready to impose hands on all sorts of unworthy subjects, and multiply the ministry to its destruction, at a juncture when the whole kingdom is overstocked with Clergy and swarms of friars who overburthen the poor of their persuasion. And though of little value this Titular Dignity is, which has no other eminence but what each Parish Priest gives about once a year twenty shillings, yet there are said to be as many candidates for it already as for the Archbishop of Tolledo (*xx*).

In the Queen's, as in the other counties of Leinster, we have ample evidence that the magistrates realized their responsibilities. On 27th March, 1708, a joint letter was sent to the Lord Lieutenant in the names of Robert Stubbs, high sheriff, J. Weaver, Edward Dawson, and Hodges Gibbet, magistrates.

What their Excellencies formerly ordered the Sheriff and us to do has been duly put in Execution. The Priests are all in custody and we are now sending to all to take the Oath of Abjuration and such as refuse shall be committed.

Later on when their Excellencies required to be informed of the magistrates' further proceedings, Thomas Vigors high sheriff wrote 12th June, 1714, that he and the other magistrates had taken informations against the several priests and warrants were already out for their arrest.

From Maryborough we have some fuller details. On 20th March, 1708, St. Ledger Gilbert and Ephraim Dawson wrote:

In pursuance to your Excellencies commands we immediately sent dispatches to size (*sic*) all the popish priests and other

(*xx*) Dublin Daily Post.

disaffected persons. Which service is already performed through out this county. Six of the priests are now in custody and we expect all the rest will be brought in within a day or two.

The returns for 1744 are as follow:

Maryborough Mar. 8 1743-4.

Sir—I have made most strict Enquiry in my Power to give you a true and just Return and can know no other But the following persons exercising any Ecclesiasticall Jurisdiction within this Borough or Liberties which reach as near two miles round the town. This Borough is in the diocese of Leighlin and Ferns of which Diocese William Lawlor of Ballymackin is Vicar Generall as I am informed. John Lawlor of Ballyflin is his Assistant or Curate in the part which is the parish of Burres. There is two priests in the parish of Clonenach in the above Diocese. A great part of the said parish is in the Liberty of said Burrough. One of which [Priests] is Edward Corkron of Cromoge who is reputed treasurer for the Diocese, the other is Daniel Horachan of Clonagown a Priest but as I can find has no other title. I know of no other nor can I hear of any other person exercising any Popish Jurisdiction in this Burrough or Liberties but shall make strict Enquiry and if I find others or any other you shall immediately have an exact account. JOS. DWIOR.

The names of the Popish Clergy of the Queen's County.

Edmund Corkeran of Cromoge priest of the part of the parish of Clonena who writes himself vicar of Clonena.
Darby Cleary of Grantstown priest of the parish of Aghaboe.
William Keating of Ballymeddock priest of the parish of Abbeyleix, Ballyrone and Ballynake. And —. Taaf his coadjutor.
Bryan Moor of Ballynagall reputed Bishop.
Lewis Moor of Raheenahole priest of the parish of Ballyadam.
Daniel Fitz Patrick of Shangana priest of Athy.
William Taaf of Ballynegall priest of Dunane.
William Lawlor of Ballymakan Vicar Generall of the Diocese of Leighlin.
John Phelan of Huntington Vicar Generall of the Diocese of Kildare.
John Lawlor coadjutor to the said John Phelan.
Patrick Kelly parish priest of Stradbally.
James Phelan Parish priest of Skirk.
Daniel Kennedy reputed friar at or neare Skirk.
Martin Dulay of Durrow parish priest of Aghamacart.
Valentine Dunn of Coolamoney parish priest of Rosanalla.
Arthur Molloy of Mount Mellick parish priest of Castlebrack.
—. flyn of Mount Mellick reputed friar.
Michael Dunn of Brittas reputed friar.
John Meagher of Roscrea parish priest of Kile.

Michael Costigan of Rushall reputed friar.
William Fitz Patrick of Grantstown Coadjutor to Darby Cleary.
Daniel Horahan of Clonegoun parish priest of part of the parish of Clonana.
Mathew Lawlor of Knockenagar Priest.
Patrick Byrn of Garran reputed friar.
William Dulany of Killeen parish priest of Offerilan.
Thady Hanly of Mountmellick reputed friar.
— GEORGE DESPARD, Sheriff of the Queens County.

We come now to deal with the King's County, the remaining one of Leinster province. In reply to the instructions and proclamation sent in 1708 the assembled magistrates on 30th March addressed the government:

Wee having this day mett at Killeighe agreed on the following several answers viz :—
That all the popish priests that Inhabit the said County are committed except one Thomas Perry who hath absconded. . . .
. . . . . .

While regretting that the record is so summary, the Dublin correspondence affords abundant particulars of a priest hunt a few years later. It was conducted by Tyrrell and so we are able to follow it.

The Examinacon of Edward Tyrrell taken in the presence of their Excellencies the Lords Justices and Council.
Who being duly sworn on the Holy Evangelists and Examined saith that having given Information to Mr. Moore and Mr. Forth two Justices of the Peace of the Kings County where some regulars of the Popish Clergy were and having obtained a warrant to apprehend them, went with the High Constable and seized one of the said Regulars, and upon searching his papers, found one paper which was a discharge for rent from Mr. Thomas Lestrange to the said Regular. That afterwards the said Regular made his escape. That being at the Quarter Sessions Mr. Lestrange asked if he had not taken a paper of his amongst the Papers of the Regular Priest seized. The Examinate replyed he had and he gave the said paper to Mr. Forth. Whereupon the said Mr. Lestrange said he had given such an acquittance for rent but could not tell how he came to doe it, or that he knew he was a Regular. Saith that he saw Primate Mac Mahon in Flanders and is now in this kingdom and knows he resides at Cullagh Duffe McMahon's neare Carrickmacross in the County of Tyrone and saith that he comes sometimes to Lusk in the County of Dublin to ordain Cleregy of the Popish religion. Saith that John Taaffe of Athirdee was present when Primate

MacMahon ordained Priests at Patrick Marky's house at Glaspistol in the County of Lowth in the month of May last when he ordained four priests. Saith that the names of the persons so ordained are Patrick Markey, son of the aforesaid Patrick, John Fleming who lives near Athirdee, one Patrick Lawler neer Dunleer, and one Bellew of the same County. That Dr. Bardin Titular Bishop of Ferns was present and assisted at the said ordination. That Peter Keeneghan of Ballymacalloge in the County of Lowth was also present at the said ordination and one Dowdall who lives neer Athirdee was also present. Saith he applyed to Captain Thomas Bellingham and informed him of the Regulars being in the County of Lowth and of the aforesaid Ordination and desired him to give directions for siezing the said Priests whereupon Captain Bellingham said he was an old man and infirm with the Gout and was unfit for business and therefore advised this Examinate to goe to Dublin and apply himself to the Government. Further saith that he came to Dublin in order to apply to the Government and writ a Letter and sent it by one Willet a Chandler who was a Grand Juryman of this Citty to my Lord Chancellor but he was told that his letter would not be delivered to the Lord Chancellor for that his servants if they knew that the Letter came from this Examinate, would not deliver it. Saith that he went in person to the Lord Chancellor at his house who received him this Examinate civilly and gave him half a guiney for his Encouradgement to proceed in his Discoveryes. Being further examined saith that one Thomas Feaghny who is reputed a Popish Bishop came lately from St. Germans and now lodges at the house of Mr. Felix Coughlan near Fairbane in the King's County and saith that he discovered the same to John Moor Esq. who said he did not care to concern himself therein but directed him to come and apply himself to the Government.

Further saith that he believes Edmund Byrne the Titular Arch bishop of Dublin's papers are kept in the house of one Byrne a Cooper in Francis Street. ED. TYRRELL.

Capt. coram me xxv° Octobris Anno Domini 1712.

J. DAWSON Dep. Cler. Concilii Privati.

The popish bishop just come from the Court of the Pretender demanded immediate action.

Dublin Castle 25 Oct. 1712.

To John Moore, Esq. of Crochan and James Forth Esq. of Redwood near Philipstown.

Gentlemen—Edward Tyrrell who brought me your letter of the 18th instant has attended the Lords Justices and Council, and hath given an Examination on Oath that one Thomas Fooghry who is reputed a Popish Bishop and came lately from St. Germans in France now lodges at the house of Mr. Felix Coughlan neare

Fairbane and Tyrrell undertakes to have him apprehended there if he may have sufficient assistance. The said Tyrrell likewise informed the Justices and Council that there is a convent of Fryers of the order of St. Dominicke at a place near Fairbane called Fedan where a great number of them constantly reside. Their Excellencies and Council hereby signify their pleasure to you to go with the said Tyrrell and require such assistance as you shall think necessary and search the house of the said Felix Coughlan for the said Thomas Fooghry and having apprehended him, to secure him. Their Excellencies desire you will also endeavour to apprehend the Fryers said to be in said Convent and commit them to Gaole according to the directions of the late Proclamation and disperse the seminary if any such therebe. Tyrrell says he will make further Discoveryes to you if you have but good assistance. Their Excellencies having already seen your zeal in the like service upon the late informations given by the said Tyrrell, do in a particular manner recommend this present service. J. DAWSON.

By the same post a warrant was directed to Captain James Sterling at Ballyboy in the King's County.

Their Lordships recommend it to you to give Tyrrell what assistance you can and command such a number of men as you shall think necessary for the apprehending such enemies to our Constitution.

The history and results of the expedition are given in the following :

Ferbane November the 4 1712.

Sir—In obedience to the Commands of their Excellencies the Lords Justices and Council of this kingdom signified by you to us to go with the Bearer Edward Tyrrell to search the house of Mr. Felix Coughlan for Thomas Feoghny a Titular Popish Bishop lately returned from St. Germans in France, we proceeded on our journey towards Mr. Coughlan's house but within about three miles of the house, Edward Tyrrell found by his intelligence that the said Feoghny was at a place called Carthron in the County Westmeath, to which place we went and there found him though his being there was denied by all the servants of the house. We take leave at the request of Mr. Coughlans lady who lay dangerously ill to acquaint the Lords Justices that she was Hourly apprehensive of Death and begged very earnestly that wee would take security for Feoghney, being as she said her physitian. But not having any such authority by your Letters We sent him under a good guard to Phillipstown Gaole where he will continue till their Excellencies and Lordships further pleasure be known. We think ourselves obliged to let you know that if Tyrrell had not been very vigilant and

active Feoghny had not been taken. We have taken his Examination which we send you Enclosed. We proceeded afterwards according to the Command in your Letter to Fedan to make search for the ffiriars but found no such persons there. We think fitt to acquaint you that in our way through a very wild uninhabited country we searched the house of Mr. John Coughlan of Clanmenlock where there was a great number of beds and books but no persons except women. We received intelligence that the said John Coughlan had notice from Dublin that there was a search intended for Priests in that country and we were tould before we came to the said house by Thomas Feoghny, the Prisoner, that John Coughlan afforesaid sent him word the night before that he the said Feoghny was (as he termed it) on the list of Priests to be apprehended. There was a considerable provision of drink and eatables as well as beds at Coughlan's house though it was in a most retired place far distant from any high road. We must also acquaint you that when search was made at Fedan for the Friars, Tyrrell apprehended one William Kenny whom he charged with harbouring and concealing as well as his brother Redmund Kenny who made his escape from the High Constable of the Barony of Balliboy with which we formerly acquainted you, as also other Regular popish priests whom the said Tyrrell delivered into the custody of one William Ponder who was one of his assistants in the taking of him. But a scuffle happened, occasioned by a drunken man coming into the house. Kenny took that opportunity and made his escape. He has a farm near the place and we have taken proper Examinations and granted a warrant against him which we doubt not will be executed. Our men and we rode from 5 o'clock on Monday morning till 6 at night without any refreshment either to our selves or horses through as bad roads as I believe ever were Travelled and at night mett with very sadd entertainment and lodging at this place. We are your honours humble servts.

G. MOORE, T. FORTH, JA. STERLING, SAMUELL LOW.

[Enclosure].

Com. Regis. The Examinacon of Thomas Feaghry taken the 4 day of November 1712. Who being examined saith that about fifteen years agoe he left this kingdom and went with one Fr. Anthony Kelly a ffranciscan frier, landed at Havre Grace in France, went through Paris to Prague in Bohemia and there began his study which he continued about one year. That he then returned to Paris where he continued his study of philosophy, humanity and physick in the Jesuits College till near Christmas last, then left Paris, went to Nants, there took shipping with one Dowdall of this kingdom and landed at Dublin about St. Thomas Day. That he stayd in Dublin till about Easter last and then came into the Kings County to the Widow Coughlan near Banagher in the said County where he stayd for some time,

then went and resided chiefly at the house of Mr. Owen Mooney of Doone in the said County till about two months agoe when he was sent for to Kincorr in the said County to the house of Felix Coughlan Esq. where he continued till about six weeks agoe when he went with the said Felix Coughlan's Lady to Carthron in the County of Westmeath where he was yesterday apprehended. This Examinate saith that on or about the 9 day of September last he was at a place called the Seven Churches in the said County where he heard mass celebrated but utterly denies that he officiated as Popish Bishop or priest or that he ever was in any popish orders. This Examinat saith that he see at the Seven Churches aforesaid about nine or ten popish priests. That he was told there was a popish Bishop there but does not know whether he see him or not, he not being at that time in a different habit from the rest of the popish priests. This Examinate saith that about five year agoe he see one Dunan att Paris where he believes he studied divinity, that since this Examinate came into this kingdom he see the said Dunan in Dublin and was told he was a priest. Edward Tyrrell desiring that this Examinate should be asked whether he see his brother Edmund Feoghny att Kincorr aforesaid, answered that he see him in the Green Lane before the house. That at Easter last he was in no popish orders but was told he was since ordained a priest and that he has, and see him celebrate mass near Lisloony in this County. TH. FFEAGHRY.

G. MOORE, T. FORTH, SAM. LOW, JA. STERLING.

This seems a plain, unvarnished tale enough, but the law advisers of the Crown only saw in it the greater evidence of the dangerous character of the "bishop."

Council Office Dublin 8 Nov. 1712.

To John Moore. Sir—I have received a letter dated 4th instant signed by you, Mr. Forth, Captain Sterling and Mr. Low by the hands of Edward Tyrrell and laid the same before their Excellencies the Lords Justices and Council and had their Commands to acquaint you and the rest of the gentlemen that they are very well pleased with your and their readiness and proceedings therein and that their Excellencies have given directions that Thomas Feaghry be brought up here in order to be tryed at the Queen's Bench this term. Yours J. DAWSON.

By the same post instructions were sent to have John Coughlan of Clonmelogh, Edmund Ward of Tynnecross, John Feaghny near Fedan, and Denis Dowling near the Seven Churches, sent to Dublin as material evidence for Her Majesty. Yet needless to say the case against the "bishop" collapsed.

The following year, 1713, the campaign against the King's County priests was renewed. On 10th March Secretary Dawson directed one Edward Shuldham to attend the Philipstown assizes to prosecute. He attended in due course and reported:

Ballyboy 28 March 1713.

Sir—At Philipstown there were nine bills of indictment against popish priests, six for not having taken the Oath, three against registered popish priests for saying mass out of the parish for which they are registered. None appeared but Edward Carolin and his brother John, but in regard the principal witness against them did not appear but had an affidavit produced of his being disabled by sickness, the Attorney General did not proceed. There were two other Indictments one against a Petty Constable for suffering a Popish Priest's escape out of his custody, the other of a woman for assaulting and beating Tyrrell but none of them appeared and warrants are ordered.

EDWD. SCHULDHAM.

The accounts sent to the Castle in 1714 were just as unsatisfactory. On the 21st June sixteen magistrates met in Ballyboy to put the proclamation against the priests in execution.

We desire you will be pleased to acquaint his Grace and their Lordships that the late insolent behaviour of the Papists of their County, as we apprehended, is chiefly owing to their priests not being brought to justice who have of late publickly exercised their functions. And severall of the Justices of the Peace who were active in summoning persons to give evidence against them and taking examinations have been threatened for their behaviour towards them. There has been but one priest brought to his trial and convicted, one Carolan an unregistered priest who exercised the function of a popish priest in the parishes of Killbride and Durrow, and one Geoghegan a registered priest from the parish of Croghan but who had not taken the Oath of Abjuration. We continued both in Bail, Affidavits having been made at every Assizes that they were so ill that without hazard of their lives they could not appear. But the rest of the said priests as we are credibly informed exercise their function and are not taken though our warrants are still out against them.

A report from Ballyboy a few days later was more optimistic. The enemy were getting cowed.

The activity of the magistrates hath already had the effect that the Popish Clergy are gone a hideing as usually they doe from Justice.

The results were summed up by the high sheriff in a letter four months later.

October 30 1714.

Sir—To give you a full account of the proceedings that have been against the popish priests in this County. There were in the month of September 1712 three priests committed to Gaole (to witt) Edmund Carolan and John Coonan alias Doonan alias Moran found officiating as popish priests in the parishes of Killbride and Durrow though neither of them registered in this County, and Thomas Geoghegan registered popish priest of the parish of Monasteoris and officiating as such not having taken the Oath required by law. They were all three bayled to the next Assizes two of them (to witt) Carolan and Coonan in Dublin and Geoghegan by Mr. Moore and Mr. Low who committed all the said priests. Sir Richard Levin the Queens Attorney Generall came to the next assizes being the Lent assizes 1713 to prosecute the said priests. Carolan and Coonan appeared. Terrill the evidence who was hanged before the Assizes after, was there then to prosecute, severall other evidences were bound over, the Bills were found. An affidavit was sworn that Geoghegan was sicke. All that did not know the reason to the contrary, expected that Carolan and Coonan would be tryed and found guilty and left in Gaole to continue without bayle till the beginning of December after, there came a warrant from the Hon. Justice Upton commanding the then sheriff of the said County to transmit the said Carolan to Newgate which was accordingly done. I have been informed that the said Carolan is at liberty in Dublin. One William Costikin the gaoler's son met him not long since in Pill Lane and Drank with him there. At every assizes since, there have been affidavits sworn by Papists that Carolan and Geoghegan the other two priests were sick and so they continue under bayle. Yours

WILLIAM SPRIGG, Sheriff.

The insinuation of the sheriff was that the Tory-Jacobite Lord Chancellor Phipps, intervened to save the priest, and that action such as this, paralysed the efforts of the local magistracy.

The only document of the 1744 period relating to the King's County to be met with, is the return of the high sheriff.

Kings Co. April 10, 1744.

John McKeogh a frier of Meelick in the County of Gallway often in the parishes of Birr and Killcoleman.
William Walsh a reputed frier often in the parish of Killcoleman.
Anthony Carroll the same in the same parish.
Thady Carrick a priest lives by Kilcoleman Church.
John Gilfoyle Priest of Shinrone parish.

James Kennedy Priest of Roscomrow and Kiltully parishes.
—. Dwyer Do. of Birr.
—. Ducy Do. of Dunkerrin.
John Hogan Do. of Annymadle.
George Nugent Do. of Monasteoris.
Laughlin Fullard Curate of Monasteoris.
Edward Cavanagh priest of Geashill.
Laurence Delahunty Do. of Killaderry.
Anthony Nowlan Do. of Durrow.
Kedagh Dempsey Do. of Killbride.
Owen Geoghegan Do. of Killmanaghan.
Anthony Fox, Owen Molloy and Robert Fitz Gerald supposed regulars now in my custody. HENRY LYONS, Sheriff.

But the priest hunting did not cease for many years after.

George [archbishop of] Armagh, Newport, C. Bessborough.
We hereby direct and require you to take effectual care that Simon Forster a Popish Priest now under a Rule of Transportation in the Gaol of Philipstown be forthwith transported out of his Majesty's Dominions to Lisbon in Portugal. Given the 16 February 1754. THOMAS WAITE.
To the High Sheriff, King's County.

Even far into the last century, men who had remembered episodes in the penal times recounted them to Dr. Doyle the bishop of Kildare.

Allen 6 May 1823.

I am here placed in the centre of an immense bog which takes its name from a small hill under whose declivity the chapel and house are built where I now write. What perhaps interests me most in the wide and vast expanse of the Bog of Allen is that it afforded for nearly two centuries a place of refuge to the apostolic men who have gone before me in preaching the faith and administering the sacraments to a people in every respect worthy of such pastors. The haunts and retreats frequented by the bishops of Kildare in the times of persecution are still pointed out by the aged inhabitants of these marshes with a sort of pride mingled with piety; and they say—"There he administered confirmation; here he held an assembly of the clergy; on that hill he ordained some young priests whom he sent to France, to Spain or to Italy; and we remember or we heard how he lived in yonder old walls in common with the young priests whom he prepared for the mission. He sometimes left with a staff in his hand, and being absent months, we feared he would never return; but he always came back until he closed his days amongst us. Oh! if you saw him; he was like St. Patrick himself."

What think you my dear friend must be my reflections at hearing of the dangers, and labours and virtues of these good men, and what a reproach to my own sloth and sensuality and pride! They of whom the world was not worthy, and who went about in fens and morasses, in nakedness and thirst and hunger, and watching and terror, will be witnesses against me for not using to the best advantage the blessings which their merits have obtained from God for their children. Their spirit indeed seems to dwell here, and in those remote and uncultivated districts there is found a purity and a simplicity of morals truly surprising.

Again :—

In the glen or the cavern where they sojourned they taught the rudiments of learning. The Catholic bishop of this diocese in a shed built of mud and covered with rushes on the verge of the Bog of Allen—the refuge of a man not inferior in mind or virtue to Fenelon—instructed youth with his own tongue and shared with them the crust which he had first watered with the tears of affliction.

CHAPTER IX.

MUNSTER.

DOWN to the year 1715 when the second Duke was attainted, Tipperary was an independent palatinate under the rule of the Ormonds. The records of the palatinate courts were then transmitted to Dublin where they are still preserved. They are however fragmentary, and on the criminal side with which we are concerned, they have almost totally disappeared. But by bringing together a number of isolated references one is able to form a fair judgment how the priests fared in the county.

The first Duke of Ormond, kidnapped to England and brought up by the notorious Abbot, archbishop of Canterbury, was the only Protestant of his family. In some respects the most fatal enemy the Irish Catholics ever had, his bigotry never extended to his relatives, and when at the Restoration he became virtual ruler of the kingdom, the Butlers came back to property and power. Accordingly throughout a great part of the penal era, all the great county magnates were strong Catholics. Ormond's brother, Richard of Kilcash (ancestor of the present family of Ormond), his half brothers, Toby and George Mathew, his nephew Purcell, baron of Loughmoe, his cousins the Lords Cahir and Dunboyne, the Butlers of Kilmoyler, Bansha, and numerous others, all lived in the county and at the worst times were able to shelter the priests. The present habitat of the archbishops of Cashel is traceable to the fact that from the Cromwellian period down Thurles has been in Catholic hands. The Vicar-Apostolic, John Burke, lived there as an attendant to Lady Thurles (Ormond's mother) who was dispensed from being transplanted to Connaught. During the popish plot Archbishop Brennan was hidden at Annfield by Toby Mathew. His successor again, Edward Comerford lived as parish priest of Thurles under the protection of the Mathews, lords of the manor. When Comerford died at the depth of the penal times, the Roman authorities appointed Christopher Butler of the Kilcash family in the belief that his

relatives would be able to maintain him in the county. But while the loyalty of the old families afforded a considerable measure of protection, it only helped the more to embitter the Cromwellian squirearchy. A few illustrations may be given of the feelings subsisting between the two parties. Kingsmill Pennefather writes from Cashel, 29th March, 1708:

> The militia want arms and in my humble opinion it is very necessary they should be supplied speedily not only on account of the quality [but the] good estates of the Papists who live among us. If their Excellencies please to order ammunition with the guns it will very much encourage our Protestant inhabitants.

In the following there is sample of the fighting temper of an ancestor of the late Sir William Butler:

> Cashel Feby. 1 1715.
>
> Sir—Collonel Purcell, Major Mathew and his son, and others of the chief of the Papists have been taken up and admitted to baile on security that they shall confine themselves to their respective parishes and be of good behaviour till the Government's pleasure be further known. I will send them to Dublin if their Excellencies think fitt. I sent Cornet Edwards yesterday to search for arms and seize suspected persons. He went to the house of one Butler of Derryclooney who has two sons that refused him entrance in order to search for arms. My Cornet was intended to carry out his orders upon which Thomas Butler, one of the sons fired out of a window at Edwards, which made him the more resolute. Which they in the house observing were terrifyed into complyance of opening the door and let him in, where he found a case of pistols, one firelook and two swords. He seized the two young men whom I sent to Gaole. I don't find any arms worth speaking of in possession of the Papists. Such horses as were seized are ordered into Inns in the next adjacent towns under guards. Pray send powder and ammunition from Limerick or Waterford. KINGSMILL PENNEFATHER.

Again in January, 1729, he writes for more ammunition, that "the number of Papists and other evil disposed persons is so great that it is hazardous for the civill power to put the laws in execution." George Cole, mayor of Clonmel, writes 20th September, 1746:

> I believe the town may conveniently quarter 2 companys and upon an Emergency as many more, and att their request I desire you will acquaint their Excellencies that the Protestant inhabitants of Clonmel are pleased with every opportunity of showing their zeal for his Majesty's service and that they will upon all occasions give the utmost proofs of their steady Loyalty for his sacred person and government.

A revenue collector, Samuel Bagwell, reports from the same place, 14th March, 1743, that he is in search of Andrew Laffan supposed to be enlisting men for the French service, adding—

I have a very large walk in this County most part of it very wild and too well stockd with the vermin called Papists who I fear will destroy me when I am amongst them upon my collection.

From these and such like it may be conjectured that the Tipperary magistrates would not be wanting in their duty of setting the priests. Nor were they. The transportation of the vicar-general of Emly, Dermot O'Meara, in 1699 has been already noticed. His archbishop, Dr. Comerford, was long kept on the run. A man named Ryan who seems from some notes in the Southwell Papers to have been a professional priest hunter, located him and even named the priest who brought the bull of consecration from Rome. But unfortunately from the loss of the papers of this period, it cannot be ascertained what measures were taken to capture the archbishop, and how he managed to escape. Of his successor we have some very interesting particulars. Christopher Butler owing to the suspicion fallen on his family, especially after the attainder of the second Duke of Ormond, moved about constantly in order to escape observation. Much of his time was spent at Kilcash at the foot of Slievenamon. Occasionally he can be traced at Garryricken, Co. Kilkenny, or again with his relatives, the McCarthys of Springhouse, in Tipperary. When the scent became too keen he made his way to his cousins the Gallways of Fota Castle, near Queenstown. Here it was that the notorious Tyrrell tracked him.

Edward Tyrrell being examined saith that he was present in a Mass house neare Corke when one Butler Titular Archbishop of Cashel ordered [ordained] two persons called Slines on the 29 of January last. . . . . .
saith he believes Christopher Butler is now at Kilcash which is the place of his residence since he came from ffrance about six months ago; is brother to Butler of Kilcash.

EDWARD TYRRELL. Dated this 6 May 1713.

No time was lost.

Council Office Dublin 16 May 1713.

Sir—Their Excellencies the Lords Justices and Council having received information upon Oath that Christopher Butler Titular

arch Bishop of Cashell came from France about six months agoe and resides at Kilcash in your County as allso John Pierce Titular Bishop of Waterford resides there allso Their Excellencies and Lordshipps have commanded me to acquaint you thereof and that you forthwith apprehend the said Christopher Butler and John Pierce and commit them to Gaole and their papers to be searched and sealed upp that if necessary may be sent to this Office in order to be laid before the Council Board and that you do it with secracy and prudence that the necessity of the Affair requires and that you will give their Excellencies an account of your proceedings therein etc. J. DAWSON.

To the High Sheriff of Tipperary.

The archbishop apparently by a lucky chance escaped.

Nenagh May 30 1713.

Sir—Your letter of the 16 of May instant did not come to my hands until the 26, being in Dublin which is the reason wherefore you did not heare from me before now in answer to their Excellencies the Lords Justices and Councils commands.

On the 27th I repaired to Kilcash and there made diligent search and Inquiry for Christopher Butler Titular Archbishop of Cashell and John Pierce Titular Bishop of Waterford but could find neither of them. Neither could I find that they or either of them had been there. I likewise made strict search for the books and papers belonging to the said Popish clergy but could not find any. I desire you will be pleased to acquaint their Excellencies the Lords Justices and Council with my proceedings in this matter. Sir your most humble servant. TER. MAGRATH.

Yet on Sunday, 16th August—not three months later, the archbishop had the hardihood to consecrate two bishops, one for Cork, the other for Killaloe at "Villa Domus Fontis"—Springhouse in the Glen of Aherlow. And so on throughout his career. His portrait is at Kilkenny Castle and who that has seen him as he looks out from the canvass, with quiet eye and tranquil countenance, his fingers playing with the pectoral cross, his whole attitude of gracious repose—who could realise that for thirty of the forty-five years of his long episcopate he was a felon and an outlaw and his capture welcomed as an "honourable service."

But the location of the archbishop by Tyrrell was nothing to his discovery at Clonmel. There he beheld a real live Cardinal.

Clonmel the 10 of Jany 1712-3.

May it please your Excellencies—I have been disappointed in serving the Government in the County of Wexford by the ill

management of some of the Justices of the Peace there as it shall appeare before your Excellencies in Council in a very short time. In the meane time there is extraordinary good service to be done in this towne by takeing of severall persons of greate note of the Popish clergy lately come from France and Rome, more particular Thomas Ennis [Thomas Hennessy S.I.] who goes under the name of a Popish bishop; he acts here after the Rules of a Cardinall; on the sixth of this instant, called twelfth day he was in a Bishop's habit with a mighter upon his head, and all other extream rich Robes belonging to that order, he celebrated high mass in the Mass house without the West gate of this towne, where he had a vast company of people which showed him as much Reverence as if he had been the Pope by kissing his hands and the very ground whereon he trod, all which I was an eye witness off. There is another person here who takes upon him the title of a Bishop; he goes by the name of Mr. Bourk but his right name is Sall. There is also another whose name is Father Adams, he is turned father Confessor in particular to the women and is manageing a way to put upp a private Nunnery. All those I have seen officiate. I must take leave to assure your Excellencies they are very dangerous persons. Thomas Ennis has of late years been a great spy in the Court of England. They all go by contrary names; one of them is the Titulate bishop of Derry who has been already taken by the Lords Justices and Council but was rescued out of the Custody of Capt. Michael Cole as his Grace the Archbishop of Dublin and Mr. Justice Cooke can inform your Excellencies and give better satisfaction of the truth hereof. I think it fitt to give you the names of the persons who entertains them privately in their howses viz. Richard Stritch and Patrick Morony Merchts, James Sherlocke apothecary and one Tonory; these are the persons who entertains them and in whose houses their goods and papers are now concealed. I think it also requisite to give your Excellencies an Account of severall of the persons who have heard and saw them Officiate as aforesaid viz. Thomas Pursell, Francis Morony, Nicholas White, Michael Davan Merchants, John Maugher, William Morony, Patrick ffitz Patrick, James Sherlock apothecary, Richard Stritch and Patrick Morony Merchants, James Tonnory; these are the names of the most materiall persons who to my certaine knowledge have been hearing them. I desire they may (if your Excellencies thinks fitt) be examined upon Oath of what they know concerning the persons aforesaid. I am credibly informed there are some Protestants in the towne who are largely bribed by those disaffected persons for winking at their actions. I have this night been in private with Major Cutbert Wilkinson, Collector of Clonmell with whom I advised concerning this matter, his advice to me was to apply myself to your Excellencies for an order not only to the Civill magestrates

but also to the Commanding officer of the troops of this Barracks to take with him as many men as may be sufficient for apprehending these men without which (there being so vast a number of Popish mobb in this towne) it cannot possibly be done; and withall humbly begg (if your Excellencies thinks convenient) to mention particularly in that order Thomas Batty and Robert Hamerton Esquires Justices of the Peace for this County to act in this affair as your Excellencies shall think fitt and that the order and letters may be enclosed to the Collector who is a Gentleman that I find would be very ready to serve the Government if he were in Commission of Peace and I humbly desire that no letter or order may be writt directly to the Mayor of the Town or to any other person except those who are nominated above for some good reasons which shall hereafter appeare before your Excellencies and in so doing I doubt not but the service will be compleated to your Excellencies satisfaction. I humbly begg there may be directions given that I may be safely protected in the Execution hereof or otherwise I shall be knockt in the head. I would have directed this to your Excellencies but fearing there should be any notice taken thereof in the Post Office here, have given it to Major Wilkinson to inclose to Sir Thomas Southwell. I must further begg leave to acquaint your Excellencies that there is great disorder on foot in this town. I am afraid to explain myself fully before I can before your Excellencies. Had I any person here who is a stranger in this place in whom I could trust, I could putt him in a way to see those people Officiating in their habits for there is no one here I dare have discovered myself and design to, but the Collector and one Richard Scott who is officer of Excise in the town of Clonmell who, makes it his business in his walk to take a view of those people as well as the howses wherein they lodge. I humbly beg when they are apprehended that they may not be allowed to have any conference with each other. I alsoe humbly begg (if your Excellencies thinks fitt to write to the Mayor of the towne) that it may be enclosed to the Collector with order not to be delivered to the Mayor till I think fitt, With all humility and obedience I beg leave to subscribe my selfe your Excellencies most obedient humble servant,

EDWARD TYRRELL.

By the same post Tyrrell acquainted King, archbishop of Dublin:

I have given their Excellencies an account at large of a Cardinall that now is in this towne from the Pope lately come over as also of some other Bishops and Popish clergy that are now in private meetings and among them there is the titulate Popish Bishop of Derry whose name is Edmund Cane but goes here by the name of Adams. I doe remember that your Grace was in

the Council about three yeares agoe when an order passed for apprehending the said Cane and directions being sent to Capt. Michael Cole, Justice of Peace in this County who apprehended the said Cane but was Rescued from the said Justice. In short I must assure your Grace there is about nine hundred of those sort of persons landed in this kingdom what without doubt is not come upon any good design.

This information was so momentous that the lords justices referred it to the Council.

Dublin Castle 17 Jany. 1712-3.

Sir—The Lords Justices having received a letter from one Edward Tyrrell informing them of a Cardinall and severall Popish Bishops and Regulars of the Popish Clergy being in Clonmell, and of the countenance and protection they meet with there. Their Excellencies thought fitt to communicate that letter to the Privy Council and I am commanded by the Board to send you the enclosed copy thereof with their pleasure that (in conjunction with Mr. Hammerton whose assistance you are to desire) you do require the said Tyrrell to come before you and take his examination upon Oath and then cause the laws to be put in Execution against such Cardinall, Bishops and Regulars if any such be in Clonmell. You are desired likewise to send for Mr. Wilkinson the Collector and Mr. Scott the Excise Officer whom Tyrrell mentions in his letter to give you what information they can in the matter. Their Excellencies and Council do expect you will return me an account of your proceedings therein.

I must inform you that the said Tyrrell has formerly given information of matters of this kind to the Lords Justices and Council which he has not been able to make good, and that at this time he is not sent or has any authority from them to go upon the service he pretends to do. But however if any person whatever will perform so good service as he undertakes now, they will be very ready to countenance it and do not doubt you will be zealous in prosecuting such Incendiaryes if they can be found in your town. Your most humble servant,

Jos. Dawson.

To Thomas Batty Esq. one of her Majesty's Justices of Peace at Clonmel.

Whether the concluding paragraphs damped the magisterial ardour does not appear but the "service" fizzled out miserably.

Clonmel Jany. 21 1712-3.

Sir—I receaved yours of the 17th, by direction of theyr Excellencies the Lords Justices and Councell and inclosed in it a copy of a letter from Edward Tyrrell to theyr Excellencies the 10th instant from this town setting forth he could discover severall Popish

Bishops and Regulars that were then in Clonmell. Pursuant to directions on receipt of the Letter I immediately inquired of Major Wilkinson, the Collector, and Mr. Scott the Excise officer what they knew of this matter and finde Tyrrell was in this towne for a boute a fortnight until last Saturday having notice given him by Major Wilkinson that he was advised not to have any further commerce with him he immediately went out of this towne as he pretended towards Corke which is all I can heare of this matter, only that from a greater concours of papists then usuall resorting this towne of late I believe there have been some such persons here of the Romish Clergy as above mentioned. But for the present I think they are dispersed, not from any apprehension of being discovered by Tyrrell but severall of the chief of the papist inhabitants of this town happening att this time to be summoned to take the oathes, theyr clergy have taken the alarme and are absconded. Your most humble servt.

THO. BATTY.

During the subsequent years there are several reports of proceedings sent in by the sheriffs and others. John White, high sheriff, writes from Cappagh 2nd June, 1714:

Inclosed I sent you a letter [missing] which I received from severall of the Justices of the peace of this county which they desired may be layd before their Excellencies the Lords Justices with full assurance that they will strictly putt the laws in Execution against all Popish priests and all other persons whatsoever who shall refuse to abjure the Pretender and will not be ameanable to the laws. I presume I may in a short time give their Excellencies a good account of the proceedings of all the Justices of the peace of this County, most of whom have assured me that they will in their respective Barronys putt the laws in Execution according to their Excellencies Directions against all persons obnoxious to the laws.

On the 11th June, thirty of the magistrates of the county met in Cashel and resolved "that all the laws against priests and regulars and all other popish recusants shall be put in execution by us within the said county." Their proceedings were in some instances reported to Dublin.

Tipperary June 23 1714.

Sir—In obedience to the directions which we received from his Grace the Duke of Shrewsbury, Lord Lieutenant of the kingdom, and Counsell by their letter of the 28th of May last we summoned the principal popish inhabitants of the Barony of Clanwilliam to appear before us at Tipperary on the 22 instant on purpose to inquire into the matter contained in the said letter, but our

summons not being regarded by them we were forct to have recourse for information to the meaner sort of people by whom we found that Thomas Grace and David Hedderman popish priests (and not qualified by law to exercise their function) have of late Sellebrated Mass in the Parishes of Tipperary, Latten and Sronell for which we issued warrants against them. As to the other matter which we were directed to inquire into, we cant yet receive satisfactory information by reason that those who are privie to them, refuse to appear to give information concerning them but we desire you will assure their Excellencies the Lords Justices that we will use all proper means to discover whatsoever has been practiced to preiudice her Maiestie and the peace of her kingdom. We must observe to you that we summoned some new converts whose conduct and behaviour gave us grounds to feare they were not sincere Protestants with purpose to tender the abjuration oath but they also refused to appear for which reason we have issud warrants against them. We purpose soon to meet again on this occasion and you shall be informed of our proceedings that you may give their Excellencies account of the same. We are etc.

JAS. DAWSON, JONA ASHE, WILLIAM BAKER, MATHEW BUNBURY.

Five other Justices of Peace write, 1st July, 1714, from Nenagh:

Pursuant to order and resolution agreed to we did on the first instant meet and examine on oath the Petty Constables of the severall parishes what Popish priests officiate without being registered; without having taken the Oath of Abjuration. We have an account of three who are registered but not conformed to the Law and will proceed against them accordingly. We cannot heer of any persons going abroad for foreign education nor of any persons exercising Ecclesiasticall Jurisdiction except one Denis Kennedy Priest of Kilbarran against whom we have issued our warrants. We have not any popish school master within Ormond Barony nor hear on strictest enquiry of any Popish priests lately come into this kingdom from beyond seas. We have an account of one curate or assistant whom we shall endeavour to apprehend. The Justices of the Peace of this Barony have long agoe caused the popish inhabitants of any credit to take the Abjuration Oath, except a few who are since come to live in said Barony or who absconded.

25 July 1714.

We further acquaint you that having proceeded in order to detect Popish regulars and Dignatories we were not able to discover any such in our Barony but having received Information against two popish priests in other Baronies viz. one Macnamara whose Christian name we do not know and one Daniel Davern who have celebrated masses lately, one of them being not registered and both not having taken the Oath of Abjuration. Against

whom we have issued our Warrants as we have likewise done against some lay persons who being summoned in order to take the Oath have refused to appear.

HENRY PRITTIE, MICH. STANLEY, DERMOT O'MEARA.

In Slievardagh barony the priests managed to escape observation. Two justices wrote 6th July, 1714, from Killenaule, that they summoned the chief papists and upon the examination of one Owen Clancey they took informations against John Healy a popish schoolmaster, and Captain Butler of Clorine, suspected to be enlisting men for the Pretender. But upon the whole the magistrates earned the encomiums of the executive. Secretary Dawson, 31st July, acquainted the high sheriff:

I am directed to acquaint you that their Excellencies and Lordships do very much approve of the zeal of the Justices of the Peace on this occasion and desire them to continue their care and diligence therein and in a few days you will receive a more particular answer.

They evidently continued their diligence.

Knockorden Feby. 5 1716.

Sir—In obedience to their Excellencies the Lord Justices directions by examining sondry Papists I have detected two Popish priests not registered according to Law, one Patrick Heas in Tipperary and one Darby Crow near Cullen in the County of Tipperary against whom I have issued warrants but they are not as yet taken. Your humble servant

EDWARD MOORE.

The returns sent in 1744 according to instructions, give some further insight into the state of things in Tipperary.

Clonmel 7 March 1743-4.

Sir—In obedience to the command of his Grace the Lord Lieutenant and Council of this kingdom and on receipt of yours dated the 3rd instant I immediately made all the Enquiry possible within this town and the liberties thereof for all Popish Archbishops, Bishops, Vicars General, Deans, Jesuits, Monks, friars and other regular popish Clergy and of all papists exercising any ecclesiastical jurisdiction. And upon due and strict Inquiry and after examining upon Oath several Papist Inhabitants of this town to that purpose do finde that there are three persons viz. Thomas Hennessy who officiated as Popish Parish Priest of this town. Thomas Stritch who is assistant Priest under him and Walter Power a ffryer and that the usuall place of their Residence is in the town of Clonmel. Hennessy lives in a house of his own, Stritch in the house of Catherine Stritch, Widow, his mother,

and Power in the ffryery house in the West subburb of Clonmel. That on receipt of the Proclamation sent him by the Government Boleyn Bigg Esq. one of his Majesty's Justices of the Peace for County Tipperary who lives here Joyned me and we Immediately issued severall warrants directed to the sheriff of the said County to all high and petty Constables and to the Constables of the said Town to apprehend all popish Archbishops etc. and to search for all arms, armour and ammunition in Papists houses and other suspected places within said town and County. Which were immediately given into the hands of the Constables of this town with strict charge to putt the same in due execution which they did accordingly. And the Constables returned us account that they could find no popish priests nor arms etc. in the said town and liberties thereof and that they particularly searched the several houses wherein said priests lived and that they were fledd and gone away. That there is a very large Popish Mass house, well slated and in good repair in the west subburbs of this town and a thatched house called a fryery a little above the same and vast quantityes of papists in and about this town did usually frequent the same, but that said Mass house and fryery are now locked up and the keys thereof brought me. All which is most humbly submitted to his Grace and Privy Council by your Most obedient and humble servant. JN. LACKEY, Mayor.

P.S.—I shall take care from time to time punctually to observe all the commands of the Government.

Cashell March 10 1743.

Sir—Pursuant to his Excellency's the Lord Lieutenant and Councils Order to me of 3rd inst I send you inclosed two Informations which show the number of the Popish Clergy in the City and Liberties of Cashell and am humbly of opinion that there are no Popish archbishops etc. Regular popish clergy or Papists exercising any ecclesiastical jurisdiction within this City or Liberties other than the persons particularly named in said Informations.

I am further to Inform you that the Justices subscribing said Informations went through this City and Liberties in my aid and made diligent search for the persons in said Informations but could as yet apprehend none of them, they having made their escape, and at the same time searched for arms in all suspected places and found none. I also by order of Colonell Pennefather transmit to you the Information of the popish Inhabitants of the Town of Thurles, who am your humble servant.

EDWD. LHOYD.

County of Tipperary City of Cashell.

The Informations of Richard Kelly shopkeeper, Denis Ryan Innholder, John Berane and Daniel Kelly, Wiggmaker, popish

inhabitants of the said City taken before us the 6th day of March 1743-4. Who being severally and duly sworn on the holly Evangilists and Examined deposeth and saith that Timothy Fogarty is the resident popish priest that officiates and celebrates mass in the parish of St. John Cashell and that they verelly believe he has no station in the popish church such as Vicar Generall, Dean, Jesuit, monk or frier and is only priest of the aforesaid parish. They further deposeth that James Meagher is a popish priest but has no parish to take care of nor do they believe that he the said Meagher has any station in the church as above. They further deposeth that Denis Brien and Phillip Dwyer are both friers and live in a house they rent in the subburbs of the said City and that Timothy Fogarty and James Meagher both live in houses they rent in said City and they severally deposeth that they know of no other popish clergy of any kind or degree whatsoever within the said City or Liberties thereof and they further severally deposeth that Christopher Butler is the reputed titular Bishop of the Diocese of Cashell and that his reputed place of abode is at Kilcash near Clonmell in the said County, and further saith not. Taken and sworn before us the 6 day of March 1743-4.

EDWD. LHOYD Dep Mayor of the City of Cashel. RICHD. KELLY.
RICHARD PENNEFATHER WILLIAM CARR DENNIS RYAN.
JOHN ROE, RICHARD LOCKWOOD JOHN BERANE.
DANL. KELLY.

The second information which is of similar tenor was sworn by Edward Scully, Innholder:

County of Tipperary. Town of Thurles.

The Information of John Cormack, Robert Shee, Inholder, James Fogarty, shop keeper, George Creagh, shop keeper, all popish inhabitants in said town as also John Langton.

Who being severally sworn on the Holy Evangelists Deposeth and saith that Michel Fiha (*sic*) is resident Popish Priest that officiates and celebrates mass in the parish of Thurles and that they verily believe he has no station in the popish church as Vicar Generall, Jesuit, Monk or Frier and is only priest of the aforesaid parish. They further depose that James Prendergast is a frier, Valentine Delany and one Hogan whose Christian name they don't know are friers alsoe and reside in said town. And they further depose that John Ryan and one Byrne whose Christian name they dont know are ffriers and appear sometimes in said Town but are not Residents of it. And they further depose that William Howley who is the popish priest of the Town of Fethard is the reputed Vicar Generall as they often heard and verily believe of the Diocese of Cashell. And they further depose that John Wale is a popish priest who officiates sometimes and did celebrate mass in the chapel of Thurles and often frequents said town but is no Resident. And they further depose that

Christopher Butler is the titular archbishop of the Diocese of Cashell and is so reputed and that his reputed place of abode is at Kilcash near Clonmel in said County and further saith not. Taken and sworn before us on the 9 of March 1743-4.

RICHARD PENNEFATHER, ROBERT TAYLOR, WILLIAM PENNEFATHER, JOHN CORMACK, ROBT. SHEE, JS. FOGARTY, GEORGE CREAGH, M. LANGTON.

It is often thought that despite the efforts of the executive and the parliament, the laws against priests were not, and never could be enforced owing to the good feeling of the local authorities. Doubtless in many cases this was true. But the documentary evidence points rather the other way—to the restraining influence of government. If the request of the grand jurors in the following instance were granted and the proclamation issued, the legal effect would be that the priest might be shot at discretion by any drunken squire.

County of Tipperary to wit. At a General Assizes and General Gaol Delivery held at Clonmel in and for the County of Tipperary the 16 day of March 1750.

We the Grand Jury at said Assizes in lawful manner Sworn and charged Present John Hally late of Killerke in the County of Tipperary, popish priest, who stands indicted as of record re-remaining in the Crown Office of said County, for that he contemptuously and unlawfully did endeavour to seduce and pervert Charles Moore a professed Protestant of the Church of Ireland as by Law established from his said profession and Excite and abett him, the said Charles Moore, to receive and embrace the form and Ceremonies of the Church of Rome for which he hath not yet received Tryal as by the Clerk of the Crown certified to be a Torie, robber and rapparee of the Popish religion, out in Arms and on his keeping and not ameanable to Law and we pray your Lordships he may be represented as such to their Excellencies the Lords Justices and Council of this kingdom to be forthwith proclaimed.

Thomas Maude, Danl. Gahan, Jonathan Lovett, Stephen Moore, U. Barker, Hugh Massey, Kingsmell Pennefather, John Roe, Math. Bunbury, Francis Sadleir, Thomas Luther, Francis Despard, Richard Pennefather, Samuel Waller, Phannell Cooke, Minchin Carden, John Lapp Judkin, John Jephson, William Pennefather, Laurence Clutterbuck, John Bayly, Tho. Damer, Nathaniel Taylor.

In truth the best and only security the priests had was the loyalty of their people. They were ready to defend them often at the cost of their own lives. In 1754 orders were sent to arrest a

priest in Cashel and have him sent to Limerick to be tried, as would appear, on some charge under the Marriage Acts. In a series of letters at the Record Office there is a lively account of the proceedings. The following is from the high sheriff of the County to Secretary Waite:

Sir—I think it my duty to inform you that the priest I was ordered to have transmitted to Limerick was rescued from my Sub sheriff and the army by a very great number of people which pelted them with stones in such a manner that the soldiers were rendered incapable of charging their pieces after they had made some shotts. Two of the soldiers were greatly hurt and the Sub sheriff. One of the mobb is dead and severall wounded. I must observe that five times the number of soldiers would not take a priest to Gaol through that country when his life was supposed to be in the least danger.

When the guard set out the last days march there was about a hundred mobb went on before and as many behind shouting as they went, which collected the different clans to a narrow lane where they made the attack by about five hundred men at once throwing vast quantities of stones and then rushing immediately on the men. These were concealed in some thick furrs till they had the guard in the lane and in ten minutes there was at least 3000 men and women collected and vast multitudes running down every hill to the place they heard the fire.

Kingswell 29 March 1754. JONATHAN LOVETT.

On 6th April the high sheriff again writes:

You mentioned that it is necessary for me to send up proper Informations of the rescue but if you was here you would see it was not in my power to gett any at present, for the Priests have such an influence on the people that time must be the only thing that gives me hopes of getting such as will be of service.

He goes on to relate that two villains with pistols had attacked himself. Armstrong the Protestant vicar of Tipperary took up the defence of the sheriff, who had been blamed for not providing a greater military force.

On his arrival at Tipperary with twenty soldiers no attempt at rescue was apprehended till they came near Limerick [County] but as some insolence was used in examining the coach and chairs that travelled the road from Tipperary towards Limerick and many threats were uttered against the young Lady that was to prosecute he and his friends apprehended it reasonable to send the priest by the military force, and all the neighbouring Gentlemen were summoned to convey the Lady that was to

prosecute. Had they all attended I feare it would be fruitless for I heare there were thousands, and many of them armed from the bounds of the County Tipperary prepared and resolved to rescue.

Joseph Damer of Shronell, a neighbouring magistrate, wrote that so great was the popish intimidation that the high sheriff had left his house at Kingswell and gone to live in the town of Tipperary. And he continues:

The Common Papists are insolent and provide themselves with arms. We hope the Lord Chief Justice in his charge to the Grand Jury will let the county know their duty and raise the spirits of the now insulted poor Protestants.

His lordship must have spirited up the poor Protestants, for a few years later is found the following presentment against a parish priest of that locality:

Clonmel General Assizes May 23, 1763 before Right Hon. Warden Flood and Hon. William Scott.

Michael Quinlan a Popish priest having at Aghnacarty and other places exercised the office and functions of a Popish priest against the peace and statute etc. —True Bill.

The earliest illustration of the working of the popery acts, met with in Waterford, is the following.

Berkeley, Gallway.

Whereas by an Act of Parliament passed in this kingdom the 9th yeare of His Majesty's Reyne entited an Act passed for banishing all Papists exercising any Ecclesiasticall jurisdiction and all Regulars of the Popish Religion out of this kingdom, it is enacted etc. And whereas it is certifyed vnto us by Mr. Justice Cox one of the Justices of Assize for the late Munster Circuit that James Manin and William Daniel ffryers remain now in the County Gaol of Waterford having not yet been sent beyond seas. These are therefore to authorize and require you in pursuance of the Act before mentioned to cause the said James Manin and William Daniel by the first convenient opportunity that shall offer to be transported beyond seas out of his Majesty's dominions wherein all magistrates and other persons whom it doth concern are to take notice and for so doing this shall be to you and all others herein concerned a sufficient warrant. Given at his Majesties Castle of Dublin the 29 Day of April 1700. By their Excellencies Commands. T. H. MAY.

To W. Browneing Esq. High Sheriff of the Co. of Waterford.

Richard Pierce was bishop of Waterford from 1696 to 1739—the most savage period of the code. But of the forty-three years

of his episcopate not quite four were spent in his diocese. For he had been chaplain in King James' army and this fact was trumpeted in the "State of the Protestants" by Archbishop King. His Jacobite associations were moreover well known to Lord Stair, the British ambassador in Paris. Hence though Propaganda more than once sent a mandate to return to Waterford he dare not venture, and thus he lived and died a refugee at Sens in Burgundy. But a man of his mark would be a splendid take for the priest catchers and so a sharp look out for him was long kept up. It will be remembered that Tyrrell made a wild shot that "John" Pierce, bishop of Waterford, was sheltered at Kilcash Castle with Archbishop Butler. When it was pretty certain he had not returned from France, a more picturesque story was told:

Whitehall 20 April 1713.

My Lord—Two persons whose names are Samuel Webber and Samuel Graydon having given information of a design formed in France by one Pierce who stiles himself Bishop of Waterford to set the Queen's [Anne's] Pallace on fire and afterwards to assasinate Herself. I am directed to communicate the same to your Grace that you may order enquiry to be made into the character of these men, the former of whom says he has inhabited many years in Clonmel and Sligo, the latter that he has served some time in the regiment commanded by Mr. Harvey and of late in the British Hospital in Spain. When your Grace receives any account of them from Ireland you will be pleased to transmit it to me that I may lay it before her Majesty.

I am my Lord Yours etc.

DARTMOUTH.

To his Grace the Duke of Ormond, Lord Lieutenant.

This story was too tall to stand, and so later reports assumed more modest shapes.

To their Excellencies the Lords Justices of Ireland.

The humble petition of Richard McElligott.

Sheweth That your Petitioner discovered one Richard Pierce Titular Bishop of Waterford and Lismore to have returned into this kingdom from France contrary to a late Act of Parliament made here but the said Pierce being harboured by one Collonel John Butler of the Castle of Kilkenny and Collonel Thomas Butler of the County of Tipperary soe that your Petitioner could not prosecute him the said Pierce, as the law impowers.

May it therefore please your Excellencies to grant your Order to the next sitting Judge of that Circuit to order that a fine

may be levied on the Collonels aforesaid which they are liable to by the Act above mentioned. And your Petitioner will pray etc.

Your Excellencies may be sensible that your Petitioner has lost the fame and friendshipp of all his ffriends and Relations on this Account.

[Endorsed] To be recommended to a Justice of the Peace to assist in putting the Act in Execution.

Of the proceedings against the Colonels there is no account. In 1713 and the subsequent years the priests of Waterford like their brethren elsewhere were in the language of the proclamations "out upon their keeping." Edward Shuldhan writes to Secretary Dawson 21st July, 1713: "The priest at Waterford who came on his tryall, submitted, soe he is ordered after the time of his imprisonment is out to be transported." James Roch, high sheriff of the county, on 18th June, 1714, acquainted the Dublin authorities that he has summoned all the Justices of the Peace to meet at Kilmacthomas to take steps to arrest the absconding priests. The mayor of Waterford, Francis Barker, on the 5th of the same month modestly encloses informations taken against Edward Butler and Henry Cheevers. The priests in the city seem to have successfully eluded their pursuers, for Samuel Austin writes, 27th October: "In our Gaol in this City we have only one popish priest viz. Martin Archer who was transmitted to us last week from Kilkenny." In 1715 we find the following presentment:

We find and present that Terence Sheehy Romish Priest of the parishes of Whitechurch, Aglish and Clashmore, John Carroll Romish Priest of parishes of Kilbarrymeaden, Monksland and Rossmear, James Donnell Romish Priest of the parish of Killronan, Thomas English Romish Priest of the parishes of Rathgormuck and Lisnekill, Richard Power Romish Priest of the parishes of Ardmore, Lisgenan and Kinsalebeg were all registered at a Sessions held for the said County at Tallow the 4 day of July 1704 and are since dead.

And that Gerrald Prendergast doth officiate and celebrate mass as a popish priest in the place of James Daniell in the said parish of Killronan, and also that Morgan Sheehy officiates in the parishes of Ardmore and Kinsalebeg in the place of Richard Power. We alsoe find and present that Theobald Burke Romish Priest of the parish of Dromcanan did take the Oath pursuant to Act of Parliament.

We find and present that Michael McCanny of the parishes of Affane, Modeligo and Seskenan, Morris English of Mothell and Killbarry, David Lehen of the parish of Lismore, Thomas Browne of the parishes of Ballylenin and ffews, John Power of the parishes of Killmedin, Clonegam and Newcastle, Thomas Clancy of the parish of temple Mihill, Thomas Conny of the parish of Ringogouna, William Kennedy of the parish of Disart, John ffennell of the parishes of Dunhill and Reisk were registered at the Sessions aforesaid and are all now alive.

NICHOLAS OSBORNE cum Sociis.

[Endorsed] 19 Aprill 1715 Com. Waterford Presentment against Priests.

Towards the end of 1721 the capture of a priest near Dungarvan, revealed a very dangerous form of Popish conspiracy. The two following letters were found on him:

Nos Hugo Dei et Apostolicae Sedis gratia Episcopus Acchadensis notum facimus universis per praesentes quod nos Anno Domini 1713 in die Octava Nativitatis beatae Mariae semper Virginis dilectum Dominum Joannem O'Connor diocesis Limericensis (cum licentia sui ordinarii) ad primam tousuram, quatuor minores ac. S. Subdiaconatus ordinem promovimus, feria vero quarta Quatuor Temporum Septembris eumdem ad S. Diaconatus ordinem promovimus, ac tandem feria sexta eorumdem Quatuor Temporum praenominatum ad S. Presbyteratus ordinem rite et canonice promovimus, non servatis ex Indulto Apostolico interstitiis aliisque a Concilio Tridentino requisitis. In quorum fidem praesentes manu Sigilloque munerimus hac die 19a Septembris Anni supradicti. HU. ACCHADENSIS

De Mandato Ja. Kilkenens Secret.

LS

Nos diocesis Lymericensis Vicarius Generalis ad quos hae literae spectaverint salutem in Domino sempiternam.

Cum dilectus nobis in christo Dominus Joannes O'Connor in jure canonico licentiatus praesbiter et Castellae Novae parochus ardenti zelo religionis causa offerens, colligendi homines contra Haereticos curam suscepit, quapropter (in voto haberet in Hispania mare transjicere) nostras testimoniales litteras petierit, nos justae ejus petitioni consentientes notum facimus et attestamur eum non solum pie et exemplariter vixisse, verum etiam nullis censuris enodatum, eum quam ob rem omnibus praesulibus gratiam et communionem Sanctae Sedis Apostolicae habentibus et has litteras inspecturis sumopere comendamus. In quorum fidem ita fecimus et attestamur hac die tertia Novembris anno Domini 1721 mill. septin, vices. primo.

JOANNES BEGLEY Vicarius Generalis.

Forthwith warrants for the arrest of Begley and of the bishop Hugh mentioned in the Testimony of Orders, were issued. Meanwhile a number of suspicious strangers found in the neighbourhood of Dungarvan were arrested and an inquiry was opened by one Talbot Ivory, 21st December, 1721. The following is an abstract of the proceedings:

John Connor popish priest being examined saith that he has been in this part of the country about a fortnight and because he had no benefice of his own he went up and down among Christians and priests. Being asked whether he is a priest Says he is not obliged to criminate him selfe. Being asked how long time since he was received in popish orders Says it was about eight years ago. Being asked whether he had no parish since he was ordained Says he had not.

The Letters of Orders which were found with him among other papers, being produced he owns to have received them; also a pass signed by Joannes Begly vicar generall of Limerick.

Says he said Grace last night at Mr. James Fitz Geralds house at Supper and that they had bread ale etcetera. Says his desygne was actually to goe over seas, and that he heard severall people were likewise to go over.

He refuses to sign the Examination.

John Fitz Gerald who is Clerk to the priest taken among the rest, being asked where he lived Says he lived near the Island of Kerry [Castleisland]. Being asked whether he knows the above John Connor. Says he is acquainted with him and that he heard him say mass above a hundred times in the County of Kerry and that he officiated as Clerk under him severall times and that he knew him to be a popish priest in orders. Being asked what brought him among the prisoners says that he came from Kerry to see his relation the said James Fitz Gerald.

Dennis Rourke saith that he left Mitchelstown about ten days ago, called at the house of Mr. James Fitz Gerald at Killeh in the County of Waterford when and where there were severall persons reputed to be wild geese or men intended for the Spanish service. John son of James Fitz Gerald tried unsuccessfully to enlist him to fight against the Moores. He heard there are about one hundred men to go off to Spain.

James Fitz Gerald (prisoner) denied giving sustenance to the persons; his son Thomas went over to Spain about a yeare ago. He says the person reputed to be a priest and now in custody told him he was a priest.

Terence Connery of the old parish in the County Waterford says that ffather francis Quin shipt off at Wise's point near Dun-

garvan about a fortnight ago one hundred and five men in a sloop which came in at Dungarvan one Laurence Grace, Master.

Ivory, the magistrate, in a letter from Youghal, 2nd January, 1722, relates further particulars:

Last Munday with the assistance of the army in the night time I surrounded the house of Mr. James Fitz Gerald at Killeigh in the County of Waterford whose son last year was reported to carry off near 100 men and another son is now on the same errand. His house has been the head quarters for this province whereby the multitude that resorted there have destroyed the provisions of all the poor people near the sea coast. In his house I seized a priest who had a power to enlist men and a pass to go for Spain, and eleven men in the barn. I have sent ten men, the priest and Fitz Gerald that harboured them to Waterford Gaol and have written to Mr. Napper the Collector at Limerick to secure Begly the vicar generall.

From West Waterford we have curious and instructive details. In 1708 the priests of Waterford like those in the rest of the country were all pounced upon and held in custody. But in some cases through the offices of a friendly constable, the detention was merely formal. Such a case occurred in Lismore where the dean, David Lehane, seems to have had considerable liberty. William Jephson, a Protestant, who was scandalized at this, acquaints Secretary Dawson, 31st March, 1708:

I have to inform you that the popish priest of this parish (who for his parts and subtiltye and superiority over all the other preists is reckoned as dangerous a Person as may be, and can greatly influence his people) is only confined in the neighbourhood, not a musquet shott from his parish at a Constable's house and has been suffered to come abroade and officiate. By whom this indulgence has been granted I will not say nor can I fully be informed as yet but the fact is true. Their Excellencies if they think fitt will give their commands in this matter and wherever they lay, then noe body can take it ill when they are duely put in execution.

Six years later we learn more of the Dean.

Lismore 14 July 1714.

Sir—Pursuant to your Letter Mr. Andrews and myself mett and issued warrants against severall popish priests and had two taken one Garrett fitz Gerald an old man and one Laurence Gordon his assistant against whom we have Informations of their exercising their Function contrary to Law. We have

committed them to Gaole of which proceeding we acquainted the High Sheriff at the meeting the 17th June and desired to be laid before the Government and we propose effectively putting the laws in force which is to summons Persons of the Popish religion to examine when where and by whom mass was celebrated By which means we have gott full Informations against all the Priests that celebrated mass within thirty days. On which we have issued warrants against them and hope they may be taken. Inclosed is a Letter I had lately from the Popish priest of this place who finds fault with me for the course I have taken and pretends to direct me how I should proceed. I have full directions about him, he being in high esteem amongst the Popish Clergy and is said to be a Bishop etc. but passes but for a Common Priest. It is believed he makes young priests but I cannot gett Information upon Oath, so if taken he cant be prosecuted but as a Common Priest. Yours, RICHD. BAGGS.

The magistrate took his worshipful self so seriously that he could not see the priest was fooling him.

Worthy Sir—I am sorry my distemper will not dispense me to wait in person on your worship though had I been in a condition to ride or goe I understand it's not safe for any of my function to appear before a Magistrate in this hott weather. Permit one therefore, I pray, to salute your worship a far off and to let you understand that I am tould that upon examining those that were summoned to take an Oath the 28 of last month in Lismore your Worship was pleased to level at me particularly in order to bring me under the penalty of the law. Which indeed I did not expect from so good a friend as I took you to be. I am tould that the said Jurors being sworn where and when they heard mass last a few answering it was from Fr. Nagle and such a day, your Worship not satisfied with that answer which is the only one required by the Proclamation you were pleased to enquire whether they heard mass from me, a question which you were not obliged to propose or they to answer. Because they were to answer when and by whom they heard mass last. I am tould that Mr. Stefan swore he did not know whether it was three weeks or four weeks since he heard mass from me, of which information your Worship is pleased to take hoult in order to bring me under the penalty of the law which I can hardly believe and that for those reasons. First because I found you always to be my very good friend that you'd take hould of so blind an information to ruine me. For granted that Stefan swore that he did not know whether it was three weeks or four weeks since he heard mass from me that makes no positive oath that he heard mass from me three weeks or four weeks agoe. For if he swore that he did not know whether I was then in Lismore

or in Cappoquin it makes no positive oath that I was then in either Lismore or Cappoquin and so when he swore he heard mass from me three or four weeks ago. Moreover its known that I was not in a condition these many weeks past to serve my parish being confined to my bed by the gout and gravel in the heath [? height] of which I was forced to be carried like a dead man between people out of my bed. Hearing your worship issued your warrant to take me I pray be not more severe against me then respecting parish priests. If the rest of my function be sent to gaol I am willing when able to leave my bed to carry my cross along with them. But I pray lett me not be dealth with worse than they are. I am tould that there is not such a hurly burley between Cork and Dublin as there is between Tallow and Lismore; no priest in the whole province sent to gaole but two out of Tallow whereof one who is registered did not officiate these ten years past. We hear of no priest confined in Dublin, Cork, Kilkenny, or Waterford. I hope you do not designe me to be the first priest to march to gaol when I am not able to leave my bed. God's peace be with you and all other moderate Justices of the Peace being the ardent prayer of

Worthy Sir, Your worships most humble and most afflicted servt.
from my bedd the 5 day of July 1714. D. LEHANE.
[Endorsed] Richard Bagg Esq. In Lismore.

The magistrate eventually had the best of the joke. In a "List of Persons Secured," February, 1716-7, we find "Lismore David le Hane a Priest."

The return sent from Waterford City in 1744 is as follows:

The Return of the Mayor and Sheriffs of the City of Waterford.

Sir—In obedience to the order of the Lord Lieutenant and Council transmitted to us by you we have made diligent enquiry within our jurisdiction for the names and places of abode of all persons being or reputed to be Popish Archbishops, Bishops, Vicars-General, Deans, Jesuits, Monks, Friars or other regular popish clergy and of all papists exercising ecclesiastical jurisdiction.

And we find that Silvester Loyd reputed to be the popish Titular Bishop of Waterford resided in the City of Waterford for some time past but upon search being made for him pursuant to the Proclamation we find he has lately absconded and cannot be found.

We find that William O'Meara reputed to be popish Dean of Waterford resided in the City of Waterford for some time past but upon search for him he has absconded as aforesaid.

We find that John St. Leger, Felix Cleary, William Sexton, Peter MacNamara, Peter Costello, Luke Kelly, William Shee, John

Bray, and William Brown to be reputed Monks friers and Jesuits and that they or some number of them dwelt together for some time past in a house in Stephen Street called the friery but upon search made in aforesaid house and other places we find they absconded as aforesaid. Which we humbly certifye and return this 14th day of Aprill 1744.

CORNELIUS BOLTON, Mayor, JOHN MORRIS and THOMAS WEST, Sheriffs.

The bishop it may be observed died a refugee in Paris three years later.

The papers relating to the County Cork owing to its great extent, which includes three dioceses, are numerous and important.

Berkeley Gallway.

Whereas by an Act of Parliament passed in this kingdom the 9th year of His Majesty's Reign for banishing all Papists etc. and all Regulars and Whereas it is certifyed unto us etc. These are therefore to authorise and require you in pursuance of the said Act to cause the said Thomas Fleming and John McDowd ffryers by the first convenient opportunity that shall offer, to be transported beyond seas out of his Majesty's Dominions etc. Given at his Majesty's Castle of Dublin the 29 day of Aprill 1700.

To the high Sheriff of the County of Cork. T. H. MAY.

Evidently the Cork authorities were not all of one mind as to enforcing the popery laws.

Ormonde.

Being informed that one Daniel McCarthy a Popish Priest who was tryed and convicted at the last Assizes at Corke and sent to be transported out of this kingdom and to remaine in Gaole without Baile or Mainprise until transported, is now at liberty in the County of Corke. These are to direct and require you to cause the said Daniel McCarthy to be apprehended and committed to Gaole and kept in safe custody and the first opportunity of shipping to cause him to be transported out of this kingdom according to the sentence given against him. Given the 30 day of November 1711. EDW. SOUTHWELL.

To George Crofts Esq. High Sheriff of the County of Cork.

In fact the Privy Council in London was receiving the worst accounts of the growth of popery in the south. That protagonist of Irish Protestants, Sir Richard Cox, was constrained to defend his fellow magistrates.

Dun 23 Feby. 1712-3.

Sir—I have the favour of yours and was surprised at Mr. Hetridge's dismall account of the Papists here for though I came through

Cork and had a visit from the Mayor and severall of his brethren and have been since in this wild country yet I know nothing of the matter nor do I believe there is anything in it but that two or three perhaps more priests (or Titular Bishops as some suspect) came over and I think one or two are apprehended and one or two made their escape and 'tis likely that the priests will presume upon the peace and come hither if they can, but both Acts of Parliament and Proclamations are so severe that if these gentlemen who complain do their duty in putting the laws in execution the priests will find but cold comfort here. I am as much against popery as any of them but do not find any change or alteration in that county but as it has been these seven years. Yours

To Edwd. Southwell, Secretary, etc. RICHD. COX.

Hetridge had waited on Southwell in London with a letter from Castle Hyde that the Protestants were in great apprehension "that many priests were come over, said mass publickly and then put on their swords either as daring or making it unsafe to punish them." Further a trunk was seized near Mallow "containing popish trinkets, books and letters." The whole trouble seems to have arisen from the fact that the exiled bishop of Cork had died in Lisbon the previous year and the Pope appointed Donough McCarthy parish priest of Shandon to succeed him. The secret got out somehow, and though McCarthy was not consecrated until August, 1713, the priest hunters were already on his trail.

Corke Feby. 1 1712-3.

Sir—I doe hereby acquaint you with a Transaction which lately happened here which I desire you to lay before their Excellencies the Lords Justices and to let me know their Excellencies pleasure therein whose commands shall with all diligence be obeyed.

About ten days agoe one Mr. Edward Tyrrell applyed himself unto me and letting me know that he had made it his Business to Detect and seize all such Popish clergymen as he found in the kingdom contrary to the law made against them. That he had seized on severall in the Counties of Lowth and King's County who were thereuppon committed to the gaoles of their respective counties of which he had given an account to their Excellencies and was by them approved.

That he had Information that a Titular Popish archbishop with severall Popish clergymen were lately arrived here and therefore desired mine and the rest of the Justices of the Peace here assistance which being a matter that so much conduced to her Majesties service and the safety of her Subjects we readily embraced it and promised him all the assistance possible and

Incouradged him to make what discoveries he could and provided him with a convenient lodging and necessaries.

That on Thursday last he came to me and told me he had made a full discovery and desired our assistance to putt his project in Execution. Upon which I sent for the rest of the Justices and before us the said Mr. Tyrrell gave an Information upon Oath That he had found out a Titular Roman Archbishop who went by the name of Butler and severall other unregistered Popish Priests and that he was present that day when the said Titular Archbishop said High Mass in one of the chapells and saw him exercise Ecclesiasticall Popish jurisdiction by ordaining two young men. That he also heard two of the priests to wit Patrick Carthy and William Hennessy say mass in the same chapple that he had discovered where they lodged and where the vestments were put.

Upon which we sent for such of our Aldermen as were in town and could come, to consult the best means to be used herein and thereupon we drew a warrant grounded upon the said Information in pursuance of their Excellencies and Councils late proclamation which warrant we directed to the Sheriff with the Constables and other officers of the City who presently after midnight went out in severall partyes under the conduct of Mr. Tyrrell to severall places where he informed us he was told the said Titular Arch Bishop and other the Popish Priests were lodged. That first comeing to the Arch Bishop's supposed lodging they could not find him, only found the said Carthy one of the Preists and in another house they found the other priest William Hennessy whom Mr. Tyrrell heard say mass, and in another house they found the two young men who were that day ordained. Which four persons were committed to Gaole and since that time they have all severally given good security for their appearance at the next assizes to be holden for this City.

Upon searching for the Priests the sheriffs and their assistants found severall vestments which Mr. Tyrrell deposes he saw the said Titular Arch Bishop and the other Priests wear when they officiate, with severall other Trinketts belonging to their worship and severall Bookes among which they found in a garrett in the house where Carthy was taken a large Trunk of new Bookes all which they brought to me where they still remain. The Trunk of Bookes are owned by one MacNamara one of the Registered Priests in this City but on perusall of them we finde many of them are marked as the Bookes of Edmund fflanagan the Titular Popish Bishop of Clonfert who Mr. Tyrrell tells me is now in the Kings County. Mr. Tyrrell informs me that when he was at mass as aforesaid he heard them use severall Prayers for the Pretender by the name of King James the third and telling the congregation in Irish that they should not feare. The cloud that hung over those of their function would soon be

over and their King settled on his Throne. All the papist Books and vestments we thought fitt to keep till we receive directions from their Excellencies.

Not knowing but it might be requisite we took a Recognisance from Mr. Tyrrell upon his leaving this City to appear at our next assizes and prosecute against the said Priests if the Government shall think fitt. We omitted giving this account the last post expecting some further discoveryes might be made.

Yours etc. DANIEL PERDRIAN.

Tyrrell when in Cork passed under the name of Edward Fitzgerald. He formed the acquaintance of one David Fitzgerald whom he had seen at mass, and brought him back to Dublin as a man who could make great discoveries being no less a personage than the son of the chapel keeper.

21 February 1712-3.

David Fitzgerald being examined before the Privy Council saith he knows Edward Fitz Gerald being acquainted with him at Corke. Was present when masse was said in Corke and that Father Dennis Carthy said Masse in Corke and is a Bishop. Says he saw him make a priest formerly but did not see him make any priest that day when Edward Fitz Gerald was at masse. That he heard the two young priests say masse severall times before. This his father is called John Fitz Gerald, is a poor man but is not chapell-keeper, nor has any employment about the chapell but that one Murphy who is employed by Father Dennis Carthy was Chapell keeper. That he has heard four priests say mass in Corke and their names were Dennis Carthy, Teige McNamara, Patrick Carthy and William Hennessy.

Tyrrell beginning to suspect that the Cork man's story might not fit into his own, raised difficulties about having Fitz Gerald examined.

Edward Tyrrell being examined saith that he brought one David Fitzgerald with him from Cork to be examined before the Lords Justices and Council and being examined whether this Examinate [Tyrrell] would have David Fitzgerald examined he replyed that Fitzgerald was an absolute stranger to him,—this Examinate being a discoverer or prosecutor of Popish Priests, and [Fitzgerald] believes this Examinate to be a priest, and he feares his [Fitzgeralds] being examined may discover this designe and therefore he [Fitzgerald] will not goe to Cork.

Their Excellencies of the Privy Council were evidently nonplussed by the roguery of their witnesses, for two days later, 23rd February, they referred them both to Mr. Justice Coote. He

probably straightened out the evidence and on 10th March we find the following order to Mr. Shuldham :

Edward Tyrrell a prisoner in Newgate is to be sent to Phillipstown and Cork to prosecute Regulars at the next assizes. You are to attend at the said assizes to prosecute in behalf of her Maiestie and you are to pay the expenses of Tyrrell, the sheriff's officer and messenger appointed to attend him and the horses of the two horsemen or Dragoons ordered as a guard.

Shuldam made a brief report of the proceedings in a letter from Cork, 8th April, 1713.

I have been this week fully employed in the prosecuting of the Popish Clergy. There have been upwards of twenty Indictments against them but none appeared and stood their tryall but two that Tyrrell caused to be apprehended. Amongst the indictments there is one against one Christopher Butler a popish archbishop but he is not to be found, so process is ordered against him and all the rest that did not appear.

Tyrrell's raid put the priests on their guard. John Allen, Mayor of Cork, writes, 22nd June, 1714 :

As to the popish priests unregistered and registered that have officiated without taking the Oath of Abjuration we can say that we have severall times endeavoured to apprehend such but could never take above two to wit Patrick Carthy and William Hennessy upon the Information of Edward Tyrrell both which priests were prosecuted last assizes, convicted and transported. We are credibly informed that the severall mass houses in this City and suburbs have for these three weeks past been shutt up and no priest appeared.

Mathew Dean on 2nd August sent a list of the priests registered and unregistered supposed to be frequenting the city. The enclosure is lost but we are more fortunate in the case of the county.

Pursuant to your Lordships directions to us the Grand Jury of the County of Cork at the General Assizes and General Gaol Delivery held for the said County the 9 day of April 1714 we make the following return. HEN. BOYLE cum sociis.

1. John Shinnick, Gurran and Great Island. Suretyes entered into Recognizances James Hegarty and Darby Keeffe in £50. Refused to take the Oath of Abjuration.
2. Felix McCarthy deceased, Killmurry. Succeeded by Edmund Sweeny, Teige Carthy and Danl. Leigh all of whom were indicted but extra [i.e. out upon their keeping].

3. Phillip Mullane deceased, Ahabolley.
4. Dermod Callaghan, Aghina, Aglis and Ovens. Suretyes Cornelius Murphy of Burren, James Egan of Skart in £50. Refused to take Oath. Indicted but extra.
5. Daniel Carthy alias Gehy deceased, East Skull.
6. Dermod Croneen, Ballyvoorney and Killmartyr.
7. Denis Leary, Killmehill and Macloneagh. Suretyes Edmd. Barrett, Thomas Murphy of Curahaly. Refused to take Oath. Indicted but extra. Succeeded by Sullivan deceased, now by Downey.
8. Donogh Sweeny Macromp. Suretyes Patrick Lawson of Skankill, Dermot Carthy of Corleigh. Refused the Oaths. Indicted but extra.
9. William Marke, Carrigcloyna, Carrigcupane and White Church. Suretyes Garret Fitzgerald and Henry Pary.
10. Patrick Hoggan deceased, Monadeen, Carrick and Clonourt succeeded by John Callaghan.
11. Donogh Callaghan, Castletown, Ballyhooly and Killathy, took the Oaths.
12. Teige Sullivan, Tullolease and Killbolan. Suretyes Manus Keeff deceased and Tim Sullivan; refused the Oath.
13. John Sullivan Rahan part of White Church and Killshannigg; took the Oaths.
14. Andrew Fitz Gerald deceased, Cloyne succeeded by John Curtin.
15. Edmund Cotter deceased, Dungerny, Mogeely and Cloumult, succeeded by John Barry a new comer.
16. Mortagh Kelleher, Clondrohid. Suretyes Manus O'Keeffe of Clongeely, Arthur Keeffe of Kellmihill. Refused the Oath. Indicted together with Mortagh Kelleher junior his Coadjutor both extra.
17. Felix Carthy deceased, Dromaleague, Drisinagh and Coharagh, succeeded by Teig Carthy alias Baskina.
18. William Cahill, Killegh, Ardeagh, Dangin part of Clonprest. Suretye Derby Keeffe of Great Island. Refused the Oath.
19. Daniel Keeffe, Kellmeen and Cullen, took the Oath.
20. Owen Keeffe, Clonfert. Suretyes Manus Keeffe of Knockageely and Arthur Keeffe of Knockageely. Refused the Oath.
21. Daniel O'Callaghan, Killbrogan, Murragh and Templemartyn, removed to the parish of Clonmeen and succeeded in said parish by Charles Carthy. Both Indicted but extra.
22. William Sheehane, Killbryn, Castlemagner, and Ballyalogh, refused the Oath.
23. Derby Murphy, Shandrum, refused the Oath.
24. Dermot Driscoll, Creagh and Tullagh refused the Oath.
25. Daniel Carthy deceased, Aghadown.
26. John Conrie, Killcaskeen.
27. Teig Sullivan, Killaghneagh, Killcathen and Killmanagh.
28. Donogh Sullivan, Dromlariff and Killcomy succeeded by Daniel Keeffe.

29. Dermot Carthy, Tracton Abbey. Suretyes Henry Verdon of Ballynemale, fflorence McCarthy. Refused the Oath. Indicted.
30. Auliff Sullivan, Durrus and Killcrohane.
31. Roger McSweeny, Killmocomoge succeeded by George Goald a new comer indicted this Assizes.
32. Charles McCarthy deceased, Fanlobus etc. succeeded by Michel Crowly now convicted. Since his confinement one Connor officiates.
33. Teige Calleghan, Skull and Killmoo, refused the Oath.
34. Daniel Crowley, Timoleague etc.
35. John Dawly, Churchtown and Liscarroll, deceased, succeeded by Maurice Browne.
36. Redmond Barry, deceased, Buttevant.
37. Donogh Mahony, Iveleary.
38. Daniel Boghely, deceased, Carrigeline, succeeded by John Callaghan alias Jones and Moyle Murrishe McSweeny new comers.
39. Dermot Murphy, deceased, Downdorrow, succeeded by ffrancis Coggan and now in custody.

William Coggan, Ballynabye, succeeded by John Hurley now in custody and convicted last assizes.

40. James Nagle, Killworth, took the Oath.
41. Dermot Daly, deceased, Glanworth succeeded by William Bryan a young man never out of the kingdom.
42. Donogh Sweeny deceased, Donaghmore, succeeded by fflorence Carthy a new comer.
43. Teig Donohoe, Malehye.
44. Owen Mullane, Mallow, refused the Oath. Indicted formerly.
45. Donogh Dawly, Ballyaghly, Ardskineen.
46. Teige Dawly, Doneraile.
47. Morris Brown, Imperick refused the Oath.
48. Owen O'Cahell deceased, Clonmeen, succeeded by Denis Callaghan registered priest of Killbrogan.
49. Morris Condon, Mitchelstown, took the Oath. One Butler his coadjutor put on him for that reason. Butler indicted this assizes at Limerick and Cork.
50. Teige Sullivan, deceased, Kanavay, succeeded by Denis Sweeny registered priest of Macroomp, for which Indicted this assizes but extra.
51. Daniel Hurley, Desert.
52. fflorence McCarthy, Ringroan Ballydee.
53. Daniel McCarthy, Lislea, transported formerly but returned into the country.
54. Daniel Sullivan, deceased, Killmeen succeeded by Daniel Keeffe who took the Oath.
55. John Sullivan not registered, Mogeely, refused the Oath.
56. —. Brown not registered, Youghall, refused the Oath.

Throughout these years there are reports from several parts of the county.

Youghal 2 November 1712.

Sir—On 29 September in the morning I sent three constables and two officers suddenly to the mass house without the North Gate of this town where I had an account there was a great meeting. One of the Constables did seize neare the mass house the person supposed to be the Priest but he was rescued from him by a great number of women and made his retreat into one Morrish Fitz Gerald's house. The doores being immediately shutt and the Constables not being able to procure entrance the said Priest was conveyed from there or made his escape some back way so that he could not be found though I made strict search after him. I have taken severall examinations concerning the rescue and bound over two women for the same and there is a warrant against the said Fitz Gerald's wife who has gone out of the way and not yett taken I have delayed in hopes I should be able in a little time to secure the Priest after whom I have a strict eye. FRANCIS BAKER.

It would appear that the priest was taken soon after, for on 18th November Baker acknowledges their Excellencies pleasure about the priest.

Pursuant to the General Resolution taken att Moyalla where we went on the summons, John Bayly and Richard Croker Esq. and I mett the 23 of June last and received Informations against the undernamed following priests and popish schoolmasters.

Charles McCarthy popish priest not registered officiates in parishes of Killbonane and Templemihl.

Edmd. Sweeny popish priest not registered officiates in the parishes of Killmurray and Aglis.

Mortimer Kealiher popish priest not registered officiates in the parishes of Templemartir.

Daniel Hoagh popish priest not registered officiates in the parishes of Kilmurry and Aglis vice versa with Edmund Sweeny.

Denis Sweeny popish priest registered for marriages but officiates out of his parish and has not taken the Oath of Abjuration.

Patrick Hurley of Lysnegatt Barony of Kin, popish schoolmaster.

fflorence McCarthy popish priest not registered officiates in the parish of Donaghmore.

Derby Callaghan popish priest registered for Aglis parish but officiates in the parishes of Aglismagh and Ahobullog and suplyed Aglis with a Curate.

The 14th inst I Joynd with Richard Hodges Esq. at Macrump and we received informations against the following persons.

ffrancis O'Brien popish priest not registered officiates in parish of Drislane.

Denis Ring popish schoolmaster in said parish.

Denis Leary popish priest not registered officiates in the parish of Inchgeelagh.

Teig Sullivan popish priest if registered, for officiating out of his parish and not taken Oath of Abjuration.

Teig Riordan popish priest not registered officiates in parish of Ballyvourney.

In the foregoing list the priests to whom the first four names belong were indicted the March Assizes of the year 1713 but were not taken nor did the Clerk of the Crown issue Capias against them. I desire Sir that you will give an account to the Lords Justices of those our proceedings and that no person shall be readdier for her Majesties service than your GEO. RYE.

Macroom 16 October 1712.

Sir—As soon as I received their Excellencies the Lords Justices Proclamation about Roman clergy I made search for the priest of the parish but he having absented himselfe I gott two of our clergy to goe with me to examine his books and papers. We had his dores and trunks opened but found nothing but a greate number of mouldy books, some papers of no consequence to the publick and a parcel of bones made upp in a box of cotten with Inscriptions of Saints names on them, and some trincketts with them, none of which we thought materiall to seize.

I gave a warrant to the High Constable to bring him and others before me to enter baile for their appearance next Assize, hoping by that amusement to remove the feare of being sent to Gaol.

At my return from Kerry I found the priest of this parish returned and had him apprehended yesterday and sent him to Corke Gaole after his refusal to take the Oath prescribed by the Act. His name is Donogh Sweeny a Doctor of Sorbonne registered to this parish. I had him to Corke in my Lord Wharton's time when at an assizes he refused to take the Oath and was bailed in Court by the Judges as many others were. Whether he is a dignitary or it be on account of his being a Doctor the other priests used to pay him reverence above their fellows, and about half a yeare ago after the death of a priest eight mile from hence he sent as I was informed a young fellow as curate to the parish who was lately a schoolboy here and not out of the kingdom soe must have been ordained in it. But on my making search for him he fled out of the kingdom and was drowned in his passage. Another attempted to sett up the succession but found the quarter not safe for him and is gone.

Dr. Sweeny at parting, desired me if I would writ to you to give an account of his peaceable behaviour and civil carriage which I must testifie to doe him justice, and if their Excellencies will admit any priests to baile, he offers very good security that his person shall be att their disposal when they please to command, for being old, feeble and poor he fears he shall soon die in Gaol

if he is detained there. And if he comes out he will say mass soe that I meane not to make any request for him but what shall be the common fare allowed to others. Your most humble servant RICHD. HODGES.

Of all places in the county it was strange that the Bandon magistrates should be thought remiss in prosecuting priests. On 4th July, 1714, twenty-four Justices of Peace met there.

We are not conscious to ourselves that there is enny neglect in us. As often as we received any Information against such priests we have issued warrants against them and when any are taken we have committed them to gaole and when convicted we have rewarded those who were active in taking them.

Kingsale 10 April 1710.

Sir—This night carrys you a letter from our Sovereign giving an account of his confineing the Town Priest on his having Information of the preists saying Mass since the time limited by the late Act.

Busteed the parson gave the information to the Sovereign and complained of the delay in acting. He threatens our Sovereign with mighty matters whether out of zeal for the Government, Religion or what other reason I know not but I wish him and the other gentlemen of the County may never be slacke in their Endeavours for the Government's service and the Protestant religion than our Sovereign. JA. DENNIS.

Kinsale 11 June 1714.

Sir—Pursuant to the Lord Lieutenant and Councils order I seized and committed our priest one ffather Th. Mulshinoge who never was registered. He is a very old and decrepyd man and for four years past has scarce been able to stirr with the gout. He's a druncken fellow and was very serviceable to the Protestants in King James years and constantly kept with, and to his power supported them. He has behaved himselfe very civilly here since the troubells and banished one Bishopp Lyne and severall others of their clergy who came here to reclaim him and had they staid it would abeen in vaine.

He always went by the name of King Williams priest and were it not for the sway he bears over the Papists I believe he'd be another religion. I sent him twice to Cork Gaol and the Judges sent him back like a badd penny. He has tendred bayle who are very respectable Protestants that he is in his tyme secured which I have refused to take.

Therefore I ask you to let me know their Excellencies pleasure whether I shall send him to the County Gaol or take security for his appearance at the next Assizes. If he must be sent to Cork I must gett a horse hither for he is not able to go or ride. Your most faithfully obedient servt. AD. DENNIS.

Kinsale 31 January 1716.

Sir—It is now three or four months since I summoned in the principall Papists of this town to whom I tendered the Oath of Abjuration which none here have refused.

As to priests the person who for many years officiated in this town in that quality is now in the Gaole in Corke under committal and has lain there for some months as I am informed afflicted with sickness. I know of no other priests either regular or secular within this Liberty. ROBERT CHUDLEIGH.

To their Excellencies the Lords Justices etc.

The humble Petition of George Hooper of the City of Cork Inholder.

Sheweth that your Petitioner apprehended one Cornelius Madden a popish priest and also Daniel Sullivan a popish school master who were tried and convicted at the assizes held for Cork 24 March 1716 and ordered to be transported. The premises considered . . . . . reward.

[Certificate] that Cornelius Madden was convicted for celebrating mass and exercising his function without being registered.

Cork 12 December 1721.

The very extraordinary Devotions, Fastings and Penances among the Irish all over the County (remarkable even in this City) in so much that many hundreds of them have been seen by Protestants of good credit going to the churches every day bare footed, yea some who had not been able to stir out of doors or their bedds for a long time are forced to comply with these injunctions. A very sensible honorable Gentleman who saw many of them told me upon enquiry what all this was for, was answered that they were commanded to do it for the good of their souls and the advantage of another person. JA. OSBURNE.

To Jas. Busteed.

What steps were taken to meet this new popish conspiracy are not recorded.

In accordance with the requisition sent by Secretary Lyons in 1744, reports from every district were sent in.

Cork 13 March 1743-4.

We have made strict enquiry and underneath we return to you the names of such said persons as we have discovered with the places of their abode (such as have any).

We have been informed that great numbers of Popish Priests and ffriars besides those whose names we return have been swarming about this city. But their names we could not find out nor with whom they reside but we hear that for the present they have withdrawn themselves from this place.

Timothy McCarthy otherwise Rabagh	Reputed Titular Bishop of Cork, resides near the North Popish Mass house in the North suburbs of said City.

Coleman Sarsfield	A Reputed Registered Priest, resides in upper Duglass Road in the South Suburbs of said City.
Michael Sarsfield	A reputed Popish Priest, reported to be curate to said Coleman Sarsfield, resides near St. Stephen's Hospitall in said South Suburbs.
John Casey Tool Burn Their Christian names we could not find out.	Three reputed popish friars, reside at a reputed ffryery in Fishamble Lane in said City where was formerly an Anabaptist meeting house.
Gorman His Christian name we could not discover	A reputed Popish friar, resides at a reputed Popish ffriery on Duncombs marsh in said City.
Mathew Phillips	A reputed Popish priest resides at the house of Joseph Ronayn in the North suburbs of said City.
Bryan Gallaher	A reputed Popish priest resides in Gallways Lane in the South Suburbs of City.
Patrick Mahony	A reputed Popish priest, resides near the North Popish chappell in said North Suburbs.
John Roche	A reputed Popish priest resides in Shandon Castle Lane in North Suburbs.
John Haly	A reputed Popish frier, resides at a reputed popish ffriery in the South suburbs of said City.
Feen Hines Hogan Sullivan	reputed popish priests but their Christian names we could not discover nor the names of the persons with whom, nor where particularly they reside.

RANDALL WESTROPP, Mayor.
ROBT. WRIXON, WILLIAM HARDING } Sheriffs.

Youghall 9 March 1743-4.

Sir—In obedience to his Grace's orders I made strict search and enquiry and find there is neither popish Archbishop etc. or any person exercising ecclesiastical jurisdiction within this town and liberty. There was one Fryer whose name I am informed is Andrew Dwyer that have at times sculkd about the town and one Thomas Collins secular priest who had really taken up his abode here, both which narrowly escaped my hands last Monday was a fortnight. I doe believe they will hardly attempt coming here for the future. If they doe I trust in God I shall be able to render a good account of them to the Government

as I have persons employed night and day to have a carefull look out for them. Jos. FREEMAN, Mayor.

Middleton 9 March 1743-4.

I have made strict enquiry and am well assured that no popish person exercising any ecclesiastical jurisdiction does now or has resided within the liberties of this place for twenty years past. No Mass house has been suffered in the parish and the present priest is a very weak, mean man who (whatever his dispositions may be) has no abilities to hurt. WILLIAM WARD.

Mallow 13 March 1743-4.

There is neither Bishop, Vicar Generall, Priest or Deacon in this town, nor did I ever suffer more priests here than one, whose name is John Everard. He went off before my return from Dublin; the Mass house is nailed upp nor do I hear of any priest within five miles of me. ANTHONY JEPHSON.

Bandon 6 March 1743-4.

By the assistance of the Burgesses and Gentlemen of this Corporation and obedient to his Grace's Orders I doe send you the names of the severall popish Priests of the adjacent parisshes but observe to you that within the Limetts of this Baronye no priest or papist was ever since the late King James his Reigne suffered to reside within the town. The Inhabitants are all Protestants and by our Corporation laws no others are to live among us.

Priests names of the adjacent parishes to the Corporation of Bandon.

Daniel Neville priest of the parish of Ballynodan, resides at Killcolman about three miles from the Town.

Rickard Donovan reputed vicar generall of the Diocese of Ross in the County of Corke resides at Ballynascarty about five miles from this Town.

John Hurley priest of the parish of Inishonane within two miles of this Town resides at Inishonane.

Laurence Callanan priest of the parish of Rathclareen resides at Garrydring about five miles from this Town.

Dennis McCarthy priest of the parish of Tymolague who lives about five miles from the Town.

Anthony Consident a reputed Friar resides at Tymolague afforesaid where there is a monastery.

Cornelius Crowly priest of Kilbrogan parish lodges at Con O'Neills at Farranvane about two miles from the Town.

Redmond Cordon priest of Brinney parish lives at Ballyhandle three miles from Town.

Note that the above priests are all known to have each man their own parish and keep respectively houses of their own except Crowley above mentioned. The above Friar has no parish but has a house of his own at Tymolague. This is all that can at present be advised about in this neighbourhood.

RALPH CLEAR, Provost.

Kinsale March 1743-4.

Your directions to me was only to find out what popish clergy we had in out Libertys and make a due report thereof. Yet we were resolved to goe a greater length than to find them out for we have resolved to have taken them up and have them confined till further orders. As to the popish clergy in our own Libertyes I know of none neither can I find out any more than two priests and one begging fryer, the title or order he belonged to I cant discover but find that they have disappeared for some time being as I suppose apprehensive they would have been confined. Their names are hereunder mentioned.

Daniel Cleaghly a priest, lived at Belgooly in our libertyes.
Phillip Mahoony a priest lived in this town.
Thomas Mahoony a Frier lived in this town.

ROBERT MARKHAM.

The Puleston MSS. give us further glimpses of this period. George Ross writes to Francis Price from Castle Lyons, 18th September, 1733:

At Fermoy on a meeting of the Turnpike Commissioners, the circumstances are too many to insert here but the consequence is this that whereas Standish Barry would not come into their unjust and arbitrary measures, the Hervick Colonel and Captain have this morning sent an express to the priest O'Brien not to celebrate mass for the future on pain of transportation. In short it would prove an endless task to write of all their tyrrany and oppression.

SAME TO SAME, CASTLE LYONS SEPTEMBER 21 1733.

Having taken a chair at the hall door I perceived a smith with a hammer and a cargo of nails escorted by a file of musketeers and two hussars on horseback in full march southward. Their orders were to nail up the mass house door which accordingly was performed and I had pleasure from my post to see the whole party return into the Corporation to give an account of their exploits which was managed with that courage and conduct that they did not lose a man, neither were they insulted in the rear though it was confidently given out such a thing would happen. This affair succeeding so well most of the Protestants of the town were summoned to appear and a select guard of twelve men ordered to mount on Sunday morning next at the mass house, there and then to seize and apprehend all priests, jesuits, monks, friars etc. as shall fall into their hands and make a due return of their guard by 8 O'C on Monday. To morrow night a patrol is to mount.

WILLIAM PEARDE TO FRANCIS PRICE, CASTLE LYONS, MARCH 9 1744.

All this country are under great apprehensions, dreading an invasion. All the priests have absconded only your old friend who expects some favour to be shown him on account of his age.

EDMUND SPENCER TO FRANCIS PRICE, NEAR CHARLEVILLE, MARCH 20 1744.

The priests in this country are all fled or hid ; one who was taken near Bandon is to be transported.

The latest document—about 1760—relative to proceedings under the popery acts is the following :

Whereas David Welsh of Mitchelstown a popish priest was indicted at the last Assizes of Limerick for solemnizing a clandestine marriage on the 4th day of June last between John Webb of Cooliveghy, yeoman, and Margaret Powell, spinster, and whereas the said John Webb and Patrick Cahure of Cooliveghy, Charles Welsh of Tulla, mariner, and Mary Jones of Durragh a servant maid all in the said County Limerick together with a person commonly called by the name of Captain Welsh of Ballyannohan in County Cork were also indicted at the said Assizes for way laying with intent to murder Roger Powell, gentleman, on the 16th day of last June, the said John Webb and Charles Welsh having each of them discharged a gun at said Mr. Powell wounding him in the face and body. Now Mortagh Madden of Knock Carrin, yeoman, adged fifty two years and upwards made oath that the said David Welsh, John Webb, Patrick Cahure, Charles Welsh and the person called by the name of Captain Welsh have all quitted their usual places of abode and are fled from Justice and are now out upon their keeping we pray they may be represented to their Excellencies the Lords of the Council to be forthwith proclaimed.

Their lordships do not appear to have acceeded to the petition, for the Proclamation Books do not contain any one on the affair.

Passing to the neighbouring county of Kerry which from its remoteness, its mountainous character, the fewness of its roads, and the sparse Protestant settlements, might be supposed to be safe ground for priests, yet we find the pursuit carried on there with vigour and determination.

Pursuant to the Resolutions taken at the General Meeting of the Justices of the Peace at Tralee the 11 of June 1714 to subdivide themselves into the severall Baronies in which they dwell. We the undernamed met at Tralee the 12th instant and issued our

summons to the severall persons following to appeare before us to answer to such questions relating to the popish priests and other matters recommended to us by the Lord Lieutenant and Council by their orders dated the 28 of May last. Thomas Fitz Maurice of Tralee did appeare and refused to give his testimony or pay down the forfeiture. Whereupon we committed him to the Common Gaole of this County.

Dermot Mehane did appeare and gave his testimony against John ffitz Maurice a popish priest who had celebrated the popish mass and had not taken the Oath of Abjuration or paid the forfeiture, whereupon we committed him to the Common Gaole. Maurice Lenane of Ballineedore and William Verdon of Carrignafooly were summoned and did not appeare. Garret Gould of Killfanney was summoned and did appeare and gave his testimony against Thomas Connor a popish priest of Glanflesk and James Cahane a popish priest of Currens but refused to take the Oath of Abjuration whereupon he paid the forfeiture. John Doody, Teige Leyne and Murtogh Twomy all of Tralee appeared and gave their testimony against James ffitz Maurice a popish priest. Edward Rice of Tralee gave his testimony against the said James ffitz Maurice as also against Dennis Moriarty a popish priest of Dingle. John Cahane and David Hally both converts appeared and James McDonogh of Tralee and ffrancis Haly a a papist and took the Oath of Abjuration. Thomas Spring, Edmund Spring, Richard Harold and James Moriarty all of Castlemaine were summoned and none appeared but James Moriarty who gave his testimony against Maurice Moriarty a popish priest who came out of France last winter or spring. He also gave his testimony that Edward Spring afforesaid sent his son John Spring into France. Daniel ffahy of Grinagh did appeare and gave his testimony against Macragh ffahy a popish priest who was not registered. We have issued warrants against all the persons against whom we took informations as also against such persons as neglected to appeare to give testimony pursuant to our summons. We have also issued our warrant against Ambrose Moriarty convicted as a popish priest since the Act for registering the popish clergy and for taking upon himself the care of two persons. We shall proceed further to the best of our power and knowledge which we desire you will lay before the Lords Justices and Council.

JOHN BLENERHASSETT, E. DENNY, FFRAN. MAYNARD, SAMUEL MORRIS, R. DENNY, JOHN BATEMAN.

Tralee June the 23 1714.

Two of the most energetic magistrates, John Blenerhassett and Joseph Kennington, wrote on the following day:

We met at Tralee the 11 inst and issued summons to severall persons. All or most did appear and after some reluctance gave infor-

mations. Copies of two are inclosed the rest being of the same import. We do live in a remote part of the county twenty miles from the sea coast so that the popish priests have shelter there with impunity.

Writing to King, archbishop of Dublin, they further say:

We take leave to acquaint your Grace that we live in a part of the County at least twenty miles distant from the sea coast from which place to us none of our fellow Justices reside so that by this means and that of being a mountainous country the new heard of Popish priests have shelter there with impunity.

The two informations were:

Co. Kerry. Richard Connell deposed that he heard that Major Dennis McGillycuddy of Carunahony and his son Daniel McGillycuddy did in or about the month of May 1713 transport themselves beyond the seas in a ship belonging to Captain Rich or Mathew Butler that sailed from some port in France to the harbour of Valentia with an intent to dispose of a concern or interest the said Major has in Holland. Saith that one Geffry Connell of Cahir in said County lately a Popish priest did about the month of March last transport himself to France. Saith he saw one Teig Connell preparing then to goe on board said Butler's ship. Believeth said Connell did with one fflorence Carthy transport himself in said ship, Saith he knoweth of one Darby Connor, Donogh Sughrue alias Roe, Popish schoolmasters who lately taught, and knoweth fflorence McGillycuddy who teacheth as he hears. Saith that he heard that one Denis Moriarty alias Loghy is a Titular Dean in the Church of Rome and he exercises Ecclesiasticall Jurisdiction, that he the said Denis did threaten or say he would suspend one Murtough Sullivan a popish priest for getting dismissing letters from another popish clergy. Saith that one Dermod ffalvey doth now reside and officiate as popish priest in the Parish of Killarney and one Macrah ffalvey doth the like in the parish of Aglish and one Teig Rahilly doth the like in the parish of Kilcomen and one Owen fferris doeth the like in the parish of Kilbonan and one Donal Holohan in the parish of Kilcrohan and one Cornelius Leyn in the parish of Dromod and one Cornelius Sullivan in the parish of Templenoe and one Hugh Sweeny in the parish of Brosna and one Cornelius Murphy in the parish of Valentia and one Thomas Connor in the Parish of Killaha are all popish priests and one Owen Mcffinen fferris in the parish of West ffrachons is a Popish priest. And that the before named persons do all reside in the said parishes respectively and there they officiate as priests And further saith not. RICH. CONNELL.

Ric. Connell deb Dn. Regin in xxli sub condic. ad prosequend etc. Jur. et Recog. coram nobis 21 die Junii 1714.

JOS. KENNINGTON JOHN BLENERHASSETT.

Co. Kerry. Patrick Trant deposeth that he knew one Teig Connell and that said Connell about February last went to France for foreigne education in the ship belonging to Captain Butler. That he heard Garrett or Morris Pierce sent his son to France for foreigne education. That Stephen Price sent his son for the like purpose. That Bartholomew Rice sent his son for said purpose. That Dennis Moriarty alias Lohy is reputed and taken for a Vicar Generall in the Church of Rome. Saith he knew one Morris Moriarty to be a popish priest. That said Moriarty came into this kingdom about six or seven months agoe. That he was present at the celebration of a popish mass by him in March last. That the 13 of June inst. he heard mass and that one Ambrose Moriarty celebrated said mass. That Edward Hussey and Richard Hussey and Nicholas Moore were then present. That Owen McMorogh fferis a popish priest and Teig Leyne. That he heard one Daniel Breen a papist did teach youth in learning. That he saw within 12 months last past Edmund Hussey, Edmund fferriter and Justin McCarthy Gentlemen go around with swords who are papists. And further saith not.

PATT TRANT.

In xx li sub condit etc. 21 June 1714.

Upon these informations warrants were issued. The following abstracts of the proceedings were transmitted to the Council:

A List of the Popish Priests and Schoolmasters in the County of Kerry against whom the late subsheriff has warrants.

	Maurice Moriarty Owen McMorris feris Dennis Moriarty	Popish Priests.
Warrant dated 21 June 1714 per Jn. Blenerhassett and Josiah Kennington Clk.	Denis Moriarty a Titular Dean	
Another Warrant Tho. Connor per Ed. Denny Saml. Morris Jn. Batteman and ffran Maynard Issued against Maurice ffalvey. And also a Warrant from the said Justices dated the same day against James Cohane, Maurice Moriarty, Ambrose Moriarty, Edmund Hogan and Teig Lyne.	Dermot ffalvey McGrath ffalvey Teig Rahilly Danl. Halligan Cornelius Line Cornelius Sullivan Hugh Sweeny Cornelius Mur phy Thos. Connor James Cashell Ambrose Moriarty Maurice Moriarty Edmund Hogan Teig Lyne.	popish priests
Warrant dated 21 June 1714 per Jn. Blenerhassett and Josiah Kennington Clk.	Murrogh Connell Stephen Rice Barthol Rice Garrett and Maurice Pierce	for sending their children to France

Warrant dated 21 June 1714 per John Blennerhassett and Josiah Kennington Clk.

Derby Conner, Donogh Rue, Boetius Egane, fflor. Gillycuddy, Daniel Browne — popish schoolmasters.

An Account of such Priests against whom Capias was ordered to issue at the Assizes held at Tralee in and for the County of Kerry 17 July 1714.

Teige Lyne, Owen Mcffinen, Maurice Moriarty, Dennis ffalvey, Edmund Howgan, Thady Sullivan, Thady Lyne, James Cahane, Thomas Connor, John FitzMaurice, Dennis Moriarty, Owen Carthy.

The details of the pursuit on the Capias warrants are unfortunately not forthcoming. The following year we find:

County Kerry. At a general Assizes and general Gaole Delivery held at Tralee in the said Co. Kerry Saturday April 2, 1715 the first of King George.

[The Grand Jury] presents as followeth.

No. 1. We find and present that Bryen Connor a popish Priest Registered for the parish of Murhur hath removed to the parish of Liselton; that Hugh Swyny a popish priest (not registered) now succeeds. Hugh Swyny a popish priest formerly registered for the parish of Ardfert is deceased. That Owen fferris a popish priest registered for the parish of Ballydaly succeeded Eneas Lyan deceased in the parish of Kilcolman. That Owen Carthy a popish priest succeeded Dermot Cunoghan deceased in the parish of Mollahiffe. That Teig Rahely a popish priest succeeded Owen Dunlea in the parish of Killcomin. That Dermot ffalvey a new popish priest succeeded Alexius Leary in the parish of Killarney. That James Cahane a popish registered priest hath removed to the parish of Disert in the Room of Teige Daly deceased. That Thomas Connor popish priest succeeded John Connor deceased in the parish of Killaha. That Ambrose Moriarty a Convicted popish priest succeeded John Dillane in the parish of Killaha. That Ambrose Moriarty a convicted popish priest succeeded John Dillane in the parish of Ballynacounty. That Dominick Moriarty a new popish priest succeeded Thomas Dooling deceased in the parish of Ballyheige and Killury.

Copia Vera R. Crosbie Com. Governor.

No. 2. Present also as followeth.

We find and present that Charles Dorane a popish priest not registered officiates in the place of Charles Daly deceased in the parish of Castle Island. That Daniel fferraly a new popish priest succeeded Godfrey Daly deceased in the parish of Murhur and Knockanure. That Cornelius Lyne a new popish priest officiates in the parish of Dromod. That Daniel Holohane a

new popish priest succeeded Daniel ffalvey in the parish of Killcrohane. That —. Shea a new popish priest succeeded Murtogh Sullivane in the parish of Killgarvan. That Dermot Sullivan a popish priest succeeded Macaragh Shea in the parish of Killenane. That Macragh ffalvey a popish priest officiates in the parish of Aglish. That Denish Moriarty alias Loghy a popish priest officiates in the parish of Dingle, is a reputed Dean or Vicar Generall. That Cornelius Sullivane a popish unregistered priest officiated lately in the parish of Templenoe. That Cornelius Murphy a papish unregistered priest officiated lately in the parish of Valentia.

We further find and present that none of the said priests have taken the Oath of Abjuration.

Copia Vera. R. Crosbie Com. Gov.

At this period most of the great families of the county were still Catholic. The Knight of Kerry, Lord Kenmare, The McGillicudy, the Husseys, Trants, Falveys, and others, all professed the old creed. The following from Lord Kenmare will show the dangers to which they were exposed from rascals who pretended conformity :

Arda, Sunday 29 May 1709.

Sir—One Mortagh Griffin or O'Griffy has said before some half a dozen persons that a congregation being at mass att this cottage this day sennight I bid the said congregation go and kill the said Griffin, and further said that six of the said Congregation had averred to him that I openly said these words and added that if he had not respect for me, he could have gone and informed his Excellency this matter.

Now, lest the gentleman may not be so good as his word I am going to tell you the matter. The priest of the parish said mass in this cottage in an outward room. I was att it in an inward room with half a score more than tolerable pritty ladies and gentlemen among whom were at the fagg end of the mass a Protestant or two as God would have itt. Mass being ended the door was shutt against the fore mentioned congregation and we within fell to eating a breakfast of sheep and lambs puddings and other rural things, and drank my Lord Lieutenant's health round (*yy*). Having a law suit depending with this Mr. Griffin before my Lord Chancellor, he would use of such black ingredients to smother the hopes of same law suette by making my family one of the worst of the sorte people they call Roman Catholicks.

Your most humble servant

KENMARE.

(*yy*) The Duke of Ormond: Kenmare's son was married to the daughter of Thomas Butler of Kilcash, ancestor of the present Lord Ormond.

The sacrifices these men had to make for their faith may be judged from such reports as the following:

RICHARD HODGES TO J. DAWSON 1 APRIL 1708.

There are severall Irish Gentlemen who live neare this place who having refused the Oath of Abjuration are prisoners at Tralee —as Sir Nicholas Browne called Lord Kenmare, Collonel Maurice Hussey and his two sons, McCarthy More and others who are very poor. They should be removed to Ross Castle as they could be supported there by their friends and not put Government to great expense.

From other places we catch curious glimpses. Whitall Brown writes from Dingle, 25th March, 1702, to William Palmer, clk:

The Mass house being so nigh the Barracks heire, the Suffreine and I have ordert the Preist to say noe more mass there but will in another place further off from my guards. The Barrack is a long defenceless house within twenty yards of the mass house to which 3 or 400 persons resort Sundays and other Holy-days and therefore there is danger of a surprise.

Richard Hodges writes from Ross Castle, 20th March, 1707:

I have this day taken upp one priest and signed warrants for six more who I hope will be in Gaole in a few days. I have putt all the Protestants in arms from Macroom to Killarney.

The men under arms gripped them fiercely no doubt when agents of the Pretender were about, as for example:

Listowhill 13 August 1711.

My Lord. I have made every enquiry among Protestants and Papists and am informed that about seven weeks since a man came into this County, called himself Bourke, said he was a Connaught man and a Cottener by trade, went barefoot, bare headed and a staff in his hand. Exhorting the common people to forsake their vices and lead a Godly life. He had a Catechism which he read and pretended to expound to the people in Irish which the common sort were highly pleased with. Others assure me there was no connexion or sense in his discourse. He was at first generally believed to be a poor madd Enthusiast. Att the end of a discourse to the people he usually sett up a cry, very common in Connaught (as I am told) after which he would scourge himselfe vntill the blood ran down his back. I am informed that he was seen at the wood of Drommin about a mile from this place where about 200 people were gathered to hear him, after that at Ballyhauraghan and att or near Dingle and as your Lordship sayes once at Rathkenny where there was

a great concourse of people. As soon as I heard of the numbers of people that followed him and amongst them four Priests and that the common people reported he wrought miracles. I sent out two of my servants to apprehend him. He had intelligence of it and made his escape to the County of Clare. It is reported he is now in the County of Lymerick. I have made enquiry of what passed at Rathkenny, Sunday the 22 of last month and am informed there was a great number of people assembled to hear the said Bourke and emongst them severall Protestants. As to the whole number it is differently reported, some say about 2000 and some others believe there were 3000. I have not yett found any person who acknowledged that mass was said or celebrated there. They all agree that what the said Bourke spoke was in the nature of the exposition of a Catechism. It is observed that the Popish clergy speake well of the man as that he is a man of good life. JAM. JULIAN.

To the Right Hon. the Lord of Kerry.

The arrest and transportation of Mathew Moloney, vicar general of Limerick in 1699 have been already noticed. During the earlier years of the eighteenth century there is abundant evidence of how the popery acts were worked in Limerick.

Whereas by an Act of Parliament passed in this kingdom the Ninth of his Majesty's Reyne entitled an Act passed for banishing all archbishops, bishops, etc. out of this kingdom, it is enacted etc. And whereas it is certified unto us that John McGlyne and John Carthy ffryers remain now in the County Gaole of Lymerick having not yet been sent beyond seas. These are therefore to require you to cause the said ffryers etc. Given at his Maiesties Castle of Dublin 29 Day of April 1700. T. H. MAY.

To the High Sheriff of the Co. of Lymerick.

By their Excellencies Commands.

Whereas by an Act of Parliament etc. And whereas we have ordered Doctor Martin a Convicted Fryer now in Gaol at Limerick to be sent from thence to Cork to be transported according to said Act. We do hereby signify our will and pleasure that the said Dr. Martin be transported from Cork to any port in Portugall and there set on shoare etc. Given the 8 day of April 1702. MOUNT ALEXANDER, THO. EARLE, THO. KEIGHTLY.

Three years later, February 23rd, 1705, Lord Ikerrin writes from Limerick to the Lord Lieutenant:

I came hither yesterday and found everything in good order. I have given all the necessary orders I could think of to keepe the garisson still soe. I have delivered 100 balle to eatch company

which indeed wee wanted extreamely for there hardly passed a night that some of the sentries were not affronted by the people of the town. I have spoke to the Maior to calle in all the priests that are hereabouts and intend to keepe them for two or three days. This and the giving ammunition to the men has very much alarmed the papists and I never saw people soe frightened.

In 1708 on the anticipation of Jacobite troubles, a haul was made on the priests of Limerick. Some of the more spirited of them as of the Catholic gentry, were put under bail in sums that at present would represent about £3000 each.

Com. Lymer. An Abstract taken out of the Records of the Peace Office of the said County of the Popish Priests that entered into Recognizances before the Justices of the Peace for the said County and their Security and Recognizance entered on the 12 of April 1708.

Mathew Hease Popish Priest of the Parish of Actanesy and Ballingarry etc. bound in £200
Security Christopher Carr of the Citty of Lymerick Inkeeper bound in £100
Connor Hogan of the same Inkeeper bound in £100

Derby Connor of Ballyknockane in the Parish of Ballingarry Popish Priest acknowdedged to be indebted to our Soveraign Lady the Queen in the sume of £200
Sureties Patrick Peppard of Killmacow Gent. and James Nash of Kilatile, Gent. .... £100 each

Garrett Gough of Byaledurog in the sd. Co. Gent. acknowleges as indebted to our Soveraegn Lady the Queen in £200
Security James Nash Gent. Patrick Peppard Gent. each £100

James Nash Killatile in sd. Co. Gent acknowledges indebtedness to our Sovereign Lady the Queen in the sume of £200
Patrick Pepard Gent and Garrett Gough Gent two securities each £100

David Lacy of Askeaton in sd. Co. Popish Priest of Parish Askeaton acknowledges indebtedness to our Lady the Queen in £200
Securities Patrick Pepard of Kilmacow Gent and James Nash Killatile Gent in .... £100 each

Patrick Nash Ballycullen Gent Co. Limerick acknowledges indebtedness to our Sovereign Lady the Queen in £200
Patrick Pepard Killmacow Gent. and Garrett ffitz Gerald of Dromehir in said County .... £100 £100 each

Gerald ffitz Gerald of Dromehir in sd. Co. Gent. acknowledges etc. £200
James Nash Killatile in sd. Co. Garrett Gough Byaledurog in sd. Co. Gent. .... £100 each

Patrick Pepard of Killinacow in sd. Co. acknowledges etc. £200
James Nash Killatill Gent. and Patk. Nash Ballycullen £100 each

Morrough Rahely of Rardryagh in sd. Co. Popish Priest Parish of Dunmoylen acknowledges indebtedness etc. £200
Gerald ffitz Gerald of Dromekeen in sd. Co. and ffrancis Garvane bound in .... £100 each

John Rahilly popish Priest Parish of Killfenen bound in £200
Pierce Piercy of Citty of Lymerick Burgess bound in Edmund Dundon of the same Taylor .... £100 each

William Shaghnasey of Killcorenane in sd. Co. Popish Priest of Parish Killcorenane acknowledges indebtedness in £200
Gerald FitzGerald of Dromehir in £100
ffrancis Garvane Morenane in £100

Connor Shinnane of Killmurreen in sd. Co. Popish Priest Parish Killmureene acknowledges indebtedness etc. £200
ffrancis Garvane, Morenane in sd. Co. bound in £100
Gerald ffitzGerald of Dromehir in sd. Co. bound in £100

Coming down the years we find :

A List of the Popish Priests of the Citty and County of the Citty of Limerick as they were registered the 21 July 1711.

1. William Ryan popish priest of St. Marys and St. Munchins. Security Tho. Harrold.
2. Michael Dwyer popish priest of St. Michaels parish—Dead.
2. John Bourke popish priest of St. Munchins—Dead.
4. John Connelan popish priest of St. Nicholas parish in the North Liberties of Limerick. Securities Tho. Harrold, Pierce Morony.
5. Murtogh Hehir popish priest of St. Michaels parish. Securities John Macnamara—Dead. William Stritch.
6. William Ryan popish priest of Ballycomin parish. Securities William Kent—Dead, Bartholomew Duffy.
7. William ffleming popish priest of the parishes of Cahernary, Caherily and Donoughmore. Securities Tho. Harrold, Robt. Hannan—dead.
8. Denish Connor popish priest of St. Johns parish. Securities Tho. Atkinson—dead, Bartholomew Coughlan.
9. Jasper White popish priest of St. Laurence parish—Dead.
10. Malachia Ryan popish priest of Killonen parish—Dead.
11. James McMahon popish priest of Knocknagala parish. Securities William Kent, Richard Moore—dead.
12. ffrancis Grady popish priest of Kilteely parish. Security—None.

Uppon searching the Records we dont find that James McMahon popish priest of the parish of Knocknegala in the Liberties of the City hath taken the Oath of Abjuration nor the other Oaths prescribed by Law. We find that the rest of the within surveiving popish priests have taken the Oath of Abjuration and the

others prescribed by Law. We don't find that any popish priest has officiated in the Room of the deceased popish priests.

ROBERT CREIGGE cum Sociis.

Of the subsequent years we catch occasional glimpses. Henry Baylee, high sheriff of the county, writes from Limerick, 30 October 1714:

I received your Letter signifying their Excellencies pleasure in relation to popish priests and other prisoners under sentence of transportation. In obedience of which I return that I have only one in my Gaole under that sentence which is Mathew Hease a popish priest found guilty for officiating as such not being registered and lyes under sentence of transportation since Lent Assizes 1713. I cannot find that any security was given for his transportation.

George Sexton, Mayor of Limerick, writes 31st January, 1715:

The Papists are turned out of this Citty and we know no disaffected amongst them unless the chiefe of them who have refused to take the Abjuration Oath, may be reckoned such. We have and are making strict and diligent search after all Popish regular clergy and priests not registered and cannot yet find or hear of them amongst us.

Fortunately in the case of Limerick we have preserved the only local record of the administration of the penal code, as distinguished from the records of the executive government. It is an early "Presentment Book" of the Grand Jury, and seems to have lain for the most of the two hundred years in a damp closet. Though rebound, the binder was unable to detach many of the leaves which are stuck together. The writing also is in many cases quite illegible. The following is as much as may be made out:

At the General Assizes for the County of Limerick held at St. Francis Abby the 20 day of September 1711, the Grand Jury present—

Charles Coniers for keeping Thomas Gorman a popish schoolmaster in his house. Ignoramus.

Cornelius O'Brien alias Manahine a Munk and Regular clergyman billa vera.

Thomas Gibbons a popish schoolmaster. billa vera.

Thomas Gorman a popish schoolmaster for teaching billa vera.

13 August 1712.

The Grand Jury present Mathew Heas a popish priest for exercising his function. billa vera.

18 March 1712-3.

Thomas Hea for celebrating mass — billa vera.
Mathew Heas and John O'finaghty for celebration of mass — billa vera.
Daniel McNamara for celebrating mass — billa vera.
John ffinaghty for celebrating mass — Ignoramus.
Thomas Nugent for celebrating mass — billa vera.
Daniel McNemara for celebrating mass — billa vera.

30 July 1713.

John Cahill priest not registered for celebrating mass — billa vera.
Daniel Noonan popish schoolmaster — billa vera.

19 March 1713-4.

Denis Brien and James Kennedy popish schoolmasters.

St. Francis Abbey 13 day of July 1714.

M. Butler for celebrating mass and not taking the Oath — billa vera.
John McEniry, Maurice England, Thady Daly, Derby Egan all popish priests for celebrating mass and not taking the oath — billa Vera.
Edmund Sheehy for carrying arms being a papist.
Thomas Connor a popish priest for celebrating mass — billa vera.
David Lacy a priest for the same — billa vera.
James McMahon a priest for the same — billa vera.
William Murphy a priest for the same — billa vera.
John FitzGerald priest for celebrating mass — billa vera.
Idem for the same.

[Some pages obliterated].

General Assizes 4 August 1715.

William Heas a popish schoolmaster — Billa vera.
William Croe a popish schoolmaster — billa vera.
Daniel Calahan schoolmaster a reputed Protestant seen at Mass.

General Gaol Delivery 5 April 1716.

Connor Macartney alias Bryan indicted for bringing a popish priest [into Ireland].

Connor McEniry alias Ryan for being a popish priest.

Michael Dwan a popish schoolmaster.

We find and present that Lieut. George Green of the Abbey in the County of Limerick did take and at the present Assizes prosecute John Butler a popish non registered priest for celebrating mass who was convicted for the said fact, we therefore present that the sum of twenty pounds sterling be raised on the popish inhabitants of [oblit.] and paid to the said George Green as a reward for apprehending, transmitting and prosecuting said popish priest according to the Statute.

We find and present that Richard Southwell Esq. of Rathkeale did take and at this present Assizes prosecute Cornelius McEniry alias Bryen a popish non juring priest for celebrating mass who was convicted of said fact we therefore present that the sum of £20 be raised on the popish inhabitants and paid to the said Richard Southwell as a reward for apprehending etc.

11 April 1717.

Thomas FitzGerald for carrying arms being a papist.
Patrick Murphy for carrying arms being a papist.
Teige Sullivan a popish priest for saying mass.
Murtogh Noonan a popish priest for saying mass.
We present £20 to be raised on the popish inhabitants of the County to Captain John Odell for his good service in taking Teig Sullivan a popish non juring priest.
We present £10 to be raised on the popish inhabitants of the County to Capt. John Odell for his service in taking Thomas FitzGerald a popish schoolmaster.

20 July 1717.

Laurence Ryan a popish priest for saying mass Billa Vera.

3 April 1718.

Phillip Norry a popish priest for saying mass.
David Lacy another popish priest for saying mass.

19 August 1718.

Daniel O'Brien for teaching school.
Joseph Mulca Dwyer Irish Popish schoolmaster.

28 August 1719.

John Burke a popish priest.
Edmund Quirke for harbouring priests.

26 March 1720.

Thomas FitzGerald a popish priest for saying mass.
Thomas FitzGerald a popish priest.
Cornelius Hoe a popish schoolmaster.
Laurence White a popish schoolmaster.

10 March 1720-1.

John Cannan for teaching school being a papist.
Bryan Kennedy for carrying arms being a papist.

24 March 1721-2.

John Linch a popish priest.
John Bowler a popish schoolmaster.
John Smith a popish schoolmaster.
Maurice Reidy a popish priest.
Edmund Quinn, James Bryan, Cornelius Sheehan, Edmund Dillon, Hugh Conway, Cornelius Sheehan, Morgan Reyley, all popish priests.

23 July 1722.

Patrick Caghill popish schoolmaster.
Patrick Bryan popish schoolmaster.

[seven pages illegible].

4 April 1724.

Derby Hickey a popish schoolmaster.
Patrick Wolfe a papist carrying arms.
Daniel McKeogh a papist carrying arms.

25 August 1724.

Derby Molloney a non juring priest for marrying.

[four pages illegible].

25 July 1725.

Mathew Geren a popish priest.

John Tubridy a papist carrying arms.

[four pages illegible].

1726.

Maurice Ready popish priest for fellony in marrying a cupple.

Denis Moriarty a non registered priest for executing priestly offices.

O'Calahan a popish priest.

Many of the raids on priests were traceable to such informations as the following:

Limerick Jany. 30 1743-4.

My Lord—As every subject is obliged in duty to do justice to his King and Country soe I take it uppon my selfe to discharge my own conscience as to this affair. The case is this. There is one Patt Neylan a parish priest and Vicar Generall of the Diocese of Kilmacduagh in the County of Gallway who when he hears Confessions obliges his penitents to give him a certain sum of money in order to remitt it to a fforreign prince for his support as he tells them they are obliged in conscience to doe it and likewise he says he can absolve them from any Oath of Loyalty to the present King and by this reason he may withdraw the subjects from the King and cause a Rebellion in this kingdom. In the County of Clare like wise one Mr. O'Brien Vicar Generall of Kilfenora does like wise the same. One Patrick Doherty parish priest near Ennis does the same. One James Dalton Vicar Generall of the Diocese of Killaloe in the County of Clare and parish priest of Ennis acts after the same manner. One Walter Burke, one Patrick Scanlan, one Mihil McMahon, one Mihil Hoar, one Mr. Darmody all Roman Catholick priests in the Citty of Limerick doe the same. They stirr up their penitents and give them such hearts that they are willing to doe anything rather than disoblidge their pastors. And my Lord unless you prevent this business the whole kingdom is in danger. All these Gentlemen both priests and ffriars now being in the kingdom of Ireland ought to sweare allegiance publickly to the King, and if this be not done his Majesty's person is in danger fearing lest this practice should be held in England as well as in this Country. I cannot at present discover my name lest I should be murthered but send out a protection for the person who writes this and then you will know more. The Eternal God preserve your Lordship and that both peace and plenty may attend his Majesty's subjects. Noe more at present on this head. Yours for ever W. D.

To his Grace William Duke of Devonshire.

The documents relating to the remaining county in Munster, Clare, are sufficiently numerous. In a county where in our own times the law is to a great extent paralysed, it might be supposed that the penal code was simply impracticable. But the facts show the danger of "intelligent anticipation" and of reading *a priori* notions into history. We who live in a period of democratic government when executives are responsible to parliaments and parliaments to public opinion, can with difficulty realise a state of things which now exists nowhere in Europe out of Russia. Clare in the seventeenth and eighteenth centuries was dominated by an active, determined magistracy, and though the Protestants were numerically insignificant, yet possessed as they were of all the resources of government they held the great Catholic mass by the throat as if. The Catholics might wriggle and groan as they liked but for any real resistance they were powerless.

On the 26th February, 1711, Secretary Dawson instructed by the Lords Justices wrote to William Butler, high sheriff of Clare, to put under arrest all popist priests whether they had taken the Oath of Abjuration or not and whether registered or unregistered. Butler would appear to have procrastinated for Francis Burton of Buncraggy reported that there were some

> Non-juring priests suspected to advise the destruction of stock and several registered and others exercising ecclesiastical jurisdiction who ought to be taken up. But as for the registered priests non-jurors, if informations be given against them that they exercised ecclesiastical offices, the Justices will issue their warrants against such.

A further mandate was sent from Dublin Castle, 4th March, that their Excellencies highly resented the neglect and disregard of their orders. "So as to compensate your omission," they informed Butler, "you will exert yourselfe with more than ordinary diligence and zeal in seizing and comitting the priests, and in returning an account with a Certificate of the Gaoler of the County of the number and names of the priests committed." This spurred on the sheriff for even Burton admitted in a letter 10th March, "the numbers of papists are so great that the priests are hed from us." An effective method of getting in the priests was directed by Secretary Dawson the following day.

It is their Excellencies pleasure that you send to the popish priests of your county or their securities and lett them know that their Recognizances will be put in suit if they do not forthwith appear and surrender themselves to you.

In a recriminatory correspondence between the Privy Council, the high sheriff, and Francis Burton some curious facts were disclosed. The Council, 13th March, 1711-2, wrote to the high sheriff:

Being informed that Francis Burton Esq. did at a meeting of the Justices of Peace of your County at Six mile bridge on 23rd February last discussing the taking up of the Popish Priests pursuant to the order sent from the Council Board, declare they ought not be taken up by any such orders though they had not taken the Oath of Abjuration unless some Examinations were taken of their having executed ecclesiastical jurisdiction, you are to cause some of the Justices to be examined as to Burton's words and make return.

Burton's reply dated 17th March, 1711-2, was:

At the meeting held at Creagh's a popish house near the Bridge how speedily and exactly to execute this order, [the matter] admitted some debate so that the question was putt by the Sheriff whether the priests should be summoned to appear or whether the Justices should sign a warrant for taking them up. When it came to my turn I declared my opinion against doing either and for this reason, it seemed to me the Government expected the Order to be executed with all dispatch and it was my opinion that a summons would give them notice to abscond. And all to sign a warrant to the sheriff who seemed to me to scruple the trouble and being assured that the only forreign educated priest (a non juror) was formerly tutor to his son, and by his [the sheriff's] election removeing him from their best protestant school in this country to his care, he'd be a cheque to this Order. I therefore gave it as my opinion that every two Justices should in their own neighbourhood issue warrants against them and against such as could inform against them. There would be difficulties in proclaiming the priests at the assizes for then the non registered priests would be the safest.

Damaging though these charges were the Council had abundant proof of the high sheriff's activity against the priests.

Six Mile Bridge 9 Mar. 1711-2.

Sir—It is above a year since Sir Donogh O'Brien was our foreman and I was one of the Jury when we presented severall popish priests that had not taken the Oath of Abjuration for saying

mass. The Capias upon these presentments were not delivered unto me untill I was juste comeing away from the sessions. I am positive I would commit any person in the County uppon the Government's order. I know of no regulars in the Countye nor can I tell but such may sulke in it as their non Registered priests have done since my warrants have been against them. I have informed most of the Justices of your second letter and pressed for their assistance. WILLIAM BUTLER

Writing from Newmarket 18th March, 1711-2, the sheriff states :

At a meeting of the Justices of the Peace at Six mile bridge 23 Feby. I asked all the Justices whether they had any committals of popish persons exercising ecclesiasticall jurisdiction in this County and they said they had not and that if they did find any such they would commit them, and neither they nor I can heare of any Regular but one sayd to be such called Flann Brodye who lately made his escape from a Constable in Six mile bridge. In my next you will have an account of such popish priests as will come in.

The high sheriff was as good as his word. The threat of estreating the recognizances brought in the priests ; for they could not see ruined the kindly laymen who had gone bail for them.

Rossroe 21 March 1711-2.

Sir—You have inclosed a Certificate of the Committment of severall popish priests. And you may have an Affidavit of the age and infirmity of one Connor Moylan another of them aged about seventy yeares who I am well assured is in a languishing condition and I would be glad to know the Government's pleasure about him. W. BUTLER.

The certificate is wanting but the particulars are obtainable from the following petition :

To their Excellencies the Lords Justices and the most Honourable Privy Council of Ireland.

The humble petition of William Freeman, Thomas Cloghessy, Charles O'Connor, William O'Daly, Murtogh Egan, Connor Moran, Murtogh fflanagan, Dermot O'Brien, Richard Gilleragh, Connor Mahony, Murtogh Nolan, Therlogh McMahon, John Moylane, Donogh Foley, Teig Kearn, James Kearn, William Connelan, John McNamara, Daniel Vaughan, Gilbert Brody, Nicholas Huonyne, Daniel Gorman, ffrancis Shenane and John Bilton Registered popish Priests in the County of Clare.

Most humbly sheweth. That William Butler Esq. High Sheriff of the County of Clare having issued severall orders for imprisoning

your petitioners and the rest of the popish Clergy in the said County pursuant to your Excellencies' orders of the 14th of March instant, your Petitioners have voluntarily submitted themselves and severally repaired to the Common Gaol of the said County where they now stand committed and are in custody. And your petitioners are informed that the reason for which they are soe imprisoned is on account of the late houghing and killing cattle and sheep in this County which is a practice they utterly abhorr and detest and which they have endeavoured and will endeavour to prevent all they possibly can and as the said houghing and killing was committed in this County only on the borders of the County of Gallway and on the stockes of County of Gallway men and as they are informed by persons that came from the County of Gallway and that the Gaol wherein your petitioners are committed is too narrow and unfitt for them to remaine in and where some of them they fear will perish if not soon enlarged and that your petitioners are willing to appeare where soe ever required by the Government May it please your Excellencies to send orders to the said High Sheriff to enlarge said petitioners. [Here follow the signatures as above.]

The voluntary surrender of the priests evidently impressed the Council favourably.

Dublin Castle 25 March 1712.

Sir—I received your letters of the 18 and 21 instant with Certificate of the number of the priests committed to your Gaol, the Examination of the Justices in relation to Mr. Burton and the Petition of the severall priests to their Excellencies. All which I laid before the Lords Justices and Council who command me to signify their pleasure to you that such priests who have voluntarily surrendered themselves pursuant to the Order of this Board may be allowed to lodge in houses in the town of Ennis for their health and convenience upon their giving you good security to appear in Court at the next Assizes at Ennis and in the meantime not to depart the towne. Yours

J. DAWSON.

To Wm. Butler Esq. High Sheriff of the County of Clare at Ennis.

Meanwhile the pursuit of the priests who did not surrender or who were not registered, was actively carried on. In answer to an enquiry from Dawson, Butler wrote 1st May that he has issued warrants against them. A fortnight later we find:

Ennis 13 May 1712.

Sir—I came hither to attend the special sessions when I hoped to have some popish priests brought in but mett with no more than two that I sent as by the inclosed Certificate and one more

my servants seized and brought to me latelye to a Countye Courte who fell into fitts of the ague which I was informed credibblye attend him for a considerable tyme paste and therefore I did not commit him being in manifest danger of losing his life.

And it is my greatest trouble that I should leye under the censure of his Excellency and the Lords of the Counsell for not succeedinge in theire committment or that their Lordshipps should thinke that I would in the leaste either neglect or disobeye their orders.

Collonel Tirey, Mr. Ivers, Mr. Warde and Mr. Boyle Vandeleur mett me last Mundaye and they promised to use their utmost and took severall stations and promised before this tyme to send me an account of what they would doe, and not hearing from them I believe they did not succeed. Our misfortune here is that moste of our High and Pettye Constables are papists and my Protestant servants would not hitherto apprehend more than those mentioned in the Registry Nos. 25 and 31, [John Moylane P.P. Killkeedy, and William Conellan P.P. Tulla] and the sicke man No. 37, [Edmond Glissan P.P. Clonlea].

Sir Donogh O'Brien Brigadier General, and Mr. Thomas Hickman joyne their diligence with myne but I believe it would be easier at this tyme to ketch soe manye wolfes or foxes than those priests, their being twelve presented as mentioned in my laste for saying mass contrary to the Statute—Nos. 1, 3, 4, 9, 12, 23, 27, 35, 41, 42, 44. [Fathers Andrew Burke P.P. Dromcliff, Thomas Cloghissy P.P. Kilchrist, Connor Macnamara P.P. Clareabbey, Connor O'Brien P.P. Killshany, Murtogh Flanagan P.P. Killmoone, Terence McMahon P.P. Kildisert, Teige Kerin P.P. Ruan, Charles Hickey P.P. Feakle, Brian McMahon P.P. Killrush, Daniel Gorman P.P. Killard, John Belson P.P. Killmurray,] and of the rest eight are dead as in the Registered Numbers 11, 15, 16, 29, 33, 36, 38, 45, [John Queally P.P. Rathborney, John Donoghue P.P. Kildisert, William Halloran P.P. Killansulagh, Mark Griffey P.P. East part Dysert, Daniel McNamara P.P. Killroe, Edmund Grady P.P. Tomgreny, Maurice McInerney, P.P. Killmurray, Teige Shenan P.P. Killferboy].

I am humbly of opinion that if process would issue against their Boddyse and their Securetyes they would soon appear. And it is a great affliction to me that I am found at this tyme to make any Excuss. I promised monye out of my owne purse to my Gaoler (who would be gladd of their custom) and other Protestants for each prieste that they would bring in but they would not undertake it. I finde one of our priests is goune into the Liberties of Limerick. I sent to the Mayor for his assistance to have him delivered to my servants. Yours W. BUTLER.

[Enclosures].

I John Gigge Gaoler of Ennis in the County of Clare doe hereby acknowledge that pursuant to a warrant to me delivered from William Butler Esq. High Sheriff of the said County I have received into my custody in the Gaol afforesaid the bodyes of John Moylen popish priest of the parish of Ogonilla and William Connellan popish priest of the parish of tullow in the said County. Witness my hand the 11 of May 1712. JOHN GRAGG.

Being present PIERS BUTLER WAL. NEILAN.

Donogh Tomy of Montallan on 17 March made oath that Edmund Gleesan popish priest of the parish of Clonlea is unable to travell to Ennis being sicke this fortnight of an Ague and unable to leave his house. JA. VANDELEUR.

In the following years we get occasional glimpses. On 17th June, 1714, Thomas Hickman, high sheriff, wrote from Ennis that three days previous the gentlemen of the county met to take measures for the arrest of popish priests. They committed one Andrew Burke a registered popish priest upon Information that he celebrated mass not having taken the Oath of Abjuration. It being reported to them that one Nicholas Keane and one fflorence MacNamara, both priests, had lately returned from France, they issued warrants for the arrest of said persons.

Next year the grand jury took stock of the whole popish enemy.

Co. Clare.

Presentments made by the Grand Jury of the said County at a General Assizes and General Gaol Delivery held at Ennis for the said County the 24 March 1714-5.

We find and present that Andrew Burke was registered popish priest of the parish of Dromcliffe ; that Nicholas Rice Esq. and Captain Peter Aylmer were his Security ; that Rice is dead and Aylmer is alive ; that the said Burke still officiates in the said parish though he has not taken the Oath of Abjuration.

We find and present that Thomas Cloghisy was registered priest of the parishes of Clondagad and Killchrist ; that Terence O'Brien of Ballycorick and Capt. Peter Aylmer were his securities ; that O'Brien is dead and Aylmer is alive ; that the said Cloghisy still officiates in said parish though he has not taken the Oath of Abjuration.

We find and present that Connor McNamara was registered priest of the parishes of Kelone and Clareaby ; that Collonel John McNamara and Mr. Nicholas Comin were his securities ; that McNamara is dead and Mr. Comin alive ; that the said McNamara

still officiates in said parish though he did not take the Oath of Abjuration.

We find and present that Charles Connor was registered priest of the parishes of Killclagh and Killmacreehy; that Francis Sarsfield and Turlogh O'Brien of Aghagling were his securities; that they are both alive; that the said Connor still officiates in said Parish and has not taken the Oath of Abjuration.

We find and present that William Daly was registered priest of the parishes of Kilfenora and Oughevane; that James Davern of Lisdoonvarna and Charles McDonagh of Ballikiel were his securities; that the said Davern is alive and the said McDonagh dead, that the said Daly still officiates etc.

We find and present that Murtogh Egan was registered priest of the parishes of Cluony and Killmanehan; that Walter Huonigh of Turlamore and Dermot Considine of Tirelehine were his sureties; that they are both living; that the said Egan still officiates etc.

We find and present that Connor Morane was registered priest of the parishes of Carn and Killoleny; that Nicholas Comin of Ennis and Charles McDonogh were his surities; that Comin is alive and McDonogh is dead; that the said Morane still officiates etc.

We find and present that Walter Markam lately deceased was in his lifetime registered priest of the parishes of Abby and Ughtoma; that Terence O'Brien of Agheglimy and James Quinn of Ennis were his securities both being now alive.

We find and present that John Queely lately deceased was registered priest of the parishes of Rathborny and Killonaghan; that William Brock of Glaniny and Nicholas Lynch of Ballivany were his securities both being now alive.

We find and present that Murtogh fflanagan was registered priest of the parishes of Killmoone and Killny; that William Brock of Glaniny and Patrick Bunill of Ranahane were his securities the latter being dead; that the said fflanagan still officiates etc.

We find and present that James Cahane was registered priest of the parish of Glaninaght; that William Brock of Glaniny and James Quinn of Ennis were his securities both being now alive; that said Cahane still officiates etc.

We find and present that Dermot O'Brien was registered priest of the parish of Droumeragh; that Capt. Terlogh Brien of Aghaghiny and John Quinn of Ennis were his securities both being alive; that the said O'Brien still officiates etc.

We find and present that John Donoghue lately deceased was registered priest of the parish of Killdysert; that Capt. Donogh McMahon of Clenagh and John Daly of Mohirliclohy were his securities both being alive and that the priest is succeeded by Terlagh McMahon who has not taken the Oath of Abjuration.

We find and present that William Hallurane lately deceased was registered priest of the parishes of Killanasula and Tompilo; that fflorence Macnamara of Mooghane and Laurence Chroe of Ballymacuna were his sureties both being alive and that the said priest is succeeded by Connor Molony who has not taken the Oath of Abjuration.

We find and present that Donogh Cleary was registered priest of the parishes of Doory and Templemally; that fflorence MacNemara of Ardelony and David White of Inchcronan were his securities both being alive; that the said Cleary still officiates in said parishes though he has not taken the Oath of Abjuration.

We find and present that Rickard Gillcreagh was registered priest of the parishes of Bunratty, Dromlyne, Clouloghane, Killmaliery and Killconery; that Donogh McNemara of Clenagh, and ffrancis McNemara of Crevagh were his securities; that both are alive; that the said Gillereagh still officiates etc.

We find and present that Connor Mullony was registered priest of the parish of Killraghtir but now succeeds William Hallurane deceased parish priest of Killansula and Tomfinla; that the said Mullony's securities were James Molloney of Kiltanon and John Reed of Killsway both being alive etc.

We find and present that Murtogh Neilan was registered priest of Inchicronan; that David White of Inchicronan and Laurence Chroe were his sureties both being alive; that the said Neilan still officiates etc.

We find and present that Symon Shinor was registered priest of the parishes of Kilfintenan and Killely; that David White late of Sixmilebridge and Morrish Cleary of Ennis were his securities both being alive; that the said Shinor hath taken the Oath of Abjuration.

We find and present that Morgan McInerhiny was registered priest of the parishes of Cluony and Quin; that fflorence McNemara of Crevagh and Patrick Creagh of Danginigin were his securities both being alive and that the said priest now officiates in the parishes of Kilfinaghten and Killmurry in the place of Maurice McInerhiny deceased; that the said Morgan has not taken the Oath of Abjuration.

We find and present that Terlagh McMahon was registered priest of the parishes of Killmaleery, Killfedan and Killdisert; that Capt. D. McNemara of Clenagh and fflorence McNemara of Crevagh were his securities both being alive; that the said McMahon still officiates etc.

We find and present that Conor McLane was registered priest of the parish of Killeneboy; that Coll. John McNemara of Crevagh of Rath both deceased were his securities; that they are both dead; that the said priest still officiates etc.

We find and present that John Melane was registered priest of the parish of Killkeedy; that Murtogh Hogan of Kells and fflorence

McNemara of Rathclony were his securities both being alive; that the said priest is removed to Ogonilla, Killnoe and part of Tomgrany in the place of Daniel McNemara, where he now officiates not having taken tue Oath of Abjuration.

We find and present that Donogh Quely was registered priest of the parish of Dysert; that John Connell of Brenbry and Richard White of Drumbane were his sureties both being alive; that the said Quely officiates etc.

We find and present that Teige Kerin was registered priest of the parish of Killmuony; that Patrick Burull and Denis O'Dea were his securityes; that both are dead; that the said Kerin still officiates etc.

We find and present that James Kerin was registered priest of the parish of Killilagh; that Donogh O'Dea of Mocullen and Murtogh Hogan of Kells were his securities both being alive; that said priest removed out of said parish and now officiates in the parish of Cluony though he has not taken the Oath of Abjuration.

We find and present that Marcus Greapha was registered priest of the parish of Dysert; that Patrick Hehir of Laghannifilan and ffrancis ffitz Gerald of Rosleban were his sureties that the said Marcus Greapha and said ffitz Gerald are dead.

We find and present that William Doogan was registered priest of the parish of Killaloe; that fflorence McNemara and Maurice Cogan were his securities; that the said Doogan is alive and took the Oath of Abjuration.

We find and present that William Conellane was registered priest of the parish of Tulla; that Nicholas Rice of Lissoquin and ffrancis McNemara of Crevagh were his sureties; that Rice is dead McNemara alive; that said priest still officiates etc.

We find and present that John McNemara was registered priest of the parishes of Killadan and Killehan; that John McNemara and Francis McNemara both of Crevagh were his sureties; that John McNemara is dead; that the said priest still officiates etc.

We find and present that Daniel McNemara lately deceased was registered priest of the parishes of Killnoe and Ogonilla; that he was succeeded by John Melane who hath not taken the Oath of Abjuration that Coll. J. McNemara of Crevagh deceased and James Margeson of Tomgrany now alive were his security.

We find and present that Daniel Voghane who was registered priest of Killkudy and Killogeney now officiates in the parish of Tomgreny that said Voghane hath not taken the Oath of Abjuration.

We find and present that Charles Hickey was registered priest of the parish of ffickle; that Coll. John McNemara lately deceased and Henry Boncher of Anagh were his securities; that said priest still officiates.

We find and present that Edmund Grady was registered priest of the parishes of Tomgreny and Moynoe also Cluonrusk in Co.

Galway; that John Ringrose and James Boucher were his securities; that said Grady is dead and succeeded by Daniel Vaughan who hath not taken the Oath.

We find and present that Edmund Glisane was registered priest of the parishes of Cluonlea and Killuran; that John Mcgrath of Tyrovan and John Reed of Killovie were his securities both being alive; that said Glisane still officiates etc.

We find and present that Maurice McMerhiny was registered priest of the parishes of Killfinaghtin and Killmurry; that John McNemara and fflorence McNemara of Moghane were his security; that the said priest is succeeded by Morgan McInerhiny who has not taken the Oath of Abjuration.

We find and present that Gilbert Brody was registered priest of the parish of Killmacduan; that Ignatius Casey of Ennis and Murtogh McMahon were his securities; that the said Brody still officiates etc.

We find and present that Nicholas Honine was registered priest of the parish of Moyarta and Killeballihone; that Nicholas Comin of Ennis and Walter Huonin of Templemore were his security both being alive; that said priest still officiates etc.

We find and present that Brien McMahon was registered priest of the parishes of Killrush and Killimer; that Michael McMahon of Ladmon and one Moriarty of Mullagh were his sureties; that they are both alive; that said McMahon still officiates etc.

We find and present that Daniel Gorman was registered priest of the parishes of Killard and Killfiragh; that Nicholas Comin of Ennis and Michael Nihil, Glascluon were his securities, both being alive; that said priest still officiates etc.

We find and present that Francis Shinan was registered priest of the parish of Kilmurry; that George Stackpole of Ennis and John How of Coraduff were his security both being alive; that said Shinan still officiates though he hath not taken the Oath of Abjuration.

We find and present that John Belson lately deceased was registered priest of parish of Killmurry; that he was succeeded by Charles Connell who hath not taken the Oath of Abjuration.

We find and present that Teig Shenan was registered priest of Killfarboy; that George Stackpole of Ennis and John Egan of Freagh were his securities; that Teig Shenan is dead and is succeeded by Francis Shenan who hath not taken the Oath.

We find and present that Roger Mullony is a popish priest not registered and that he officiates and celebrates mass in the parish of Quin in the said County.

We find and present that there is a popish seminary or ffriery near Currinenagh bridge or Crusheen in the said County, under the direction or government of one Hedegan a reputed frier which is not only the greatest Injury to the Protestant interest

in this county but also contrary to and in contempt of the severall laws made for preventing the further growth of popery.
We find and present that there is a popish ffriery near Ballymullana in this County under the direction of one James Bruodin alias Brown a reputed frier.
We find and present that Patrick Pursell is a reputed frier who commonly inhabitts in the parish of Tulla and County of Clare.
We find and present that William Connellane is a reputed frier who commonly inhabits in the parish of Tulla and officiates.
We find and present that Daniel McNemara Junior, son to Daniel McNemara of Gortaderry within said County is lately made a priest and inhabits within the said County.
We find and present that Richard Thornton is a popish priest.
We find and present that Edmund Quinn is a popish priest.

During the years following **1715** the pursuit was actively kept up but the priest as the high sheriff, Butler, had pointed out, was more elusive than the wolf or the fox.

County Clare.

Whereas Flan Brody alias James Brown alias Dennis Culligan a popish ffriar hath been at the last Assizes convicted by order of the last goeing Judge for the Circuit of Conought was transmitted to the castle of Lymerick from whence he was shipped in order to be transported beyond the seas and that it is since credibly given out and told that he the said Brody alias Brown alias Culligan is returned into this county from on Board the said ship which was to transport him Wee the Grand Jurors at the general Sessions of the Peace held this 8 day of October 1717 for the said County do find and present the said fflan Brody alias Brown alias Culligan to be a Tory, Robber and Rapparee out and upon his keeping and guilty of High Treason against his Majesty's Crown and Dignity and we pronounce and Ingadge that we will secure and pay unto any person or persons who after this day shall seize and secure the said Brody, alias Brown alias Culligan within the said County so as he may be brought to Condign punishment the sum of twenty pounds sterling.

JOHN CHARTERS cum Sociis.

[Endorsed] 24 October 1717 Proclaimed.

The returns made to government in accordance with instructions in 1744 are as follows:

Ennis 22 April 1744.

Sir—Herewith you have a list of the popish clergy of this County which was made up with great difficulty and hope the Government will not be displeased at the delay in returning it.

FFRANCIS DAWSON sub sheriff.

Titular Bishop of Killaloe	Patrick McDonough, Ennis otherwise Dromcliff parish James Dalton Vicar General, Darby Brogy parish priest.
Killballyowen parish	John Cusack, Michael Spilacy.
Killrush parish	Richard Thornton.
Killard parish	———
Killmurray parish	Teig Macnamara.
Killadisert parish	Darby Cahill.
Killmacduan parish	John Carew and Cornelius Droutle.
Killchrist parish	Patrick Doherty
Clareabby parish	Michael Cuony.
Killmurray parish	Michael Stannon and James Comons.
Cloney parish	Roger Mullowney
Tulla parish	Andrew Connellan.
Quin parish	Roger Mulloney
Sixmilebridge parish	Mathew Mullowney.
Dromline parish	Laurence Connellan
Killmalierny parish	Thomas Clanchy.
Tomfielow parish	Patrick Quinn.
Killnoe parish	Roger McNamara.
Killaloe parish	William Doogan and Boetius Davoren.
Ogonuely parish	James Hickey.
Tomgraney parish	Roger McNamara.
Friekill parish	Charles Hickey.
Ennis Cantry parish	John Minoge.
Killfentinane parish	John Herbert and Richard Keating.
Callaghans Mills parish	Thady McNamara.
Killseeley parish	Cornelius Twohy.
Killogennedy parish	William Doogan the younger.
Doonassa parish	Teig Mullowney
Killmichael parish	Gilbert Brody.
Killmaeduan parish	Edmund Quinn and John Carew.
Dysart parish	Teig Kerin
Magh and Killnemonee	Daniell Sullivan
Dromcliff parish	John Quin.

[Endorsed] To John Lyons Esq.

Lismehane 2 Mar. 1743-4.

Sir—I have in accordance to directions made a very strict search and inquiry into all the houses at Ennis last week and had the Army from Clare to assist me and I sent my subsheriff to Kilrush, Kilfenora and severall other places where we had the least suspicion of priests or arms, but could not find either. We have locked and nealed up the mass houses. JOHN WESTROPP.

A few years later both the English and Irish Privy Councils were fluttered by news of a very dangerous plot carried on by Romish ecclesiastics in Clare.

Whitehall April 4 1752.

My Lord—I have the honour of sending your Grace the inclosed letters relating to the assembling and proceedings of the Jacobites in the Town of Ennis. I hope this information will tend to the apprehending of such disaffected persons whose names are therein inserted who are evidently engaged in carrying on a treasonable correspondence. I must recommend it to your Grace to make the most discreet use of these Letters as they are of a very secret nature. But if they should enable your Grace to come at any material Discoveries you will be pleased to inform me thereof in order that the same may be laid before the Lords Justices. Your Grace's etc. HOLDERNESSE.

To his Grace the Duke of Dorset [Lord Leiutenant].

[Enclosures].

To Florence Hensy Esq. Doctor in Physick in Turles Street London.

Dear Flory—I send you this letter that you may see the contents of it. Communicate it to Captain F. and do as you think proper about the affair. I told Laurence Connollan more than once that no Postulation if not backed by the neighbouring B[ishops] and the Arch B. in particular would be of any use. For my part I am very easy about it my principal view is to get a simple benefice which I am pretty sure of However I shall write to C. Cors but am resolved to ask no Butter of him, let him do as he pleases.

[Endorsed] Not signed but from Mr. Hensey at the Hague. N.B. This letter was sent under cover to Mr. Destonaches and upon the back of it was wrote "J'ai une raison particuliere pour ne point envoyer cette lettre en droiture."

Friday 28 Feby. 1752.

Dear Sir—I wrote to you last week and in my letter I fancy I mentioned to you that Doctor Mac Donagh was weak and infirm. Now my dear friend I tell you he is dead and buried. It's therefore expected by your friends and those that wish you well that you will immediately make use of your friends and interest everywhere to succeed him. I am sure you will meet with many difficulties however you ought in regard to your friends here who expect you will succeed, leave no stone unturned to act the needfull on this critical occasion (now or never). There is a kind of Postulation or Remonstrance to be sent off by next post signed by as many priests as were at Ennis when the little Man dyed. I say to be sent to the Chevalier to pray him to name one or other of the Gentlemen therein specified to succeed Mr. McDonogh. Mr. James Cuony, Mr. John Meagher of Rosgrea, and Mr. Thomas Roche are the three first named in the said Remonstrance or Postulation and warmly recommended by Dalton's giddy writing. After them you are named and after you Hoare the Fryar in Lymerick. Your great friend Canon

MacNemara was doing all he could to be Coadjutor as we are well assured and now will do more I believe. I give you a caution of this by advice. There is one Lacy who they say has great interest with the Chevalier. Dean Creagh or his Friends will do what they can in short. It is hoped you will immediately do what ought to be done on this occasion. Mac Donogh had £800 in one bag and 4 or 5 hundred pounds in Paper. He left all to his Relations and died as he lived. We are all to call a Chapter next week. I am desired by some of my friends to give you an account of what happened immediately and so do it accordingly and expect you will not be idle and that wee will hear from you as soon as you can give us an account good or bad. Cuony, Meaghir or Thomas Roche have no interest abroad but I am afraid and so are many that Lacy and MacNemara are not so. I wish you good success. LAU. CONNELLAN.

The Lord Lieutenant's reply to Lord Holderness was:

I have received the honour of your Lordships Letter of 4th inst enclosing copies of two letters in relation to the proceedings of certain disaffected persons in the Town of Ennis and the County of Clare and if these papers should enable me to come at any material discoveries, I shall not fail informing your Lordships thereof in order that the same may be laid before the Lords Justices [of England]. DORSET.

In the numerous intrigues carried on in connexion with episcopal succession during the penal times, government had not the least suspicion that the nomination to bishoprics was exercised by the two "Pretenders." So well was the secret kept that the truth came out only in 1825 in the evidence of Dr. Doyle before the House of Lords.

CHAPTER X.

CONNAUGHT.

THROUGHOUT the most savage part of the penal era the Catholics of Galway predominated not in numbers only but in wealth and territorial importance. Lords Clanrickarde, Athenry and Riverstown were Catholics. So too were the Burkes of Portumna, Milford, Glinske, and Gortmadden, the Dalys of Carrownakelly (Dunsandle), the Frenches of Durras and Rahassane, the Donnellans of Caltrons, the Martins of Corbeagh and Tyllyra, and numerous others. Yet from no other county is there fuller evidence of the working of the code. The presence of strong and influential Catholics only seems to have had the effect of stimulating the Protestant petty squires into abnormal activity.

The earliest notice of the Galway clergy occurs in the opening year of the century. Robert Blakeney writes 23rd December, 1701, enclosing a certificate of the parish priests of the town :

Patrick Skerrett, 23 December 1701 popish priest of William gates quarter in the town of Gallway certifies he has no coadjutor.
John Bodkin popish priest of the Kea quarter, Do.
Jerome Martin popish priest of Abby gate street, Do.
Mathew Lynch popish priest of Newtown quarter, Do.
Redmond Burke popish priest of Clare Gallway and part of Oranmore.
John Bodkin popish priest of Raheen in the liberties certifies he has no coadjutor.

The 2 Anne, c. 6, enacted that no Papist should after 24th March, 1703, take a house or come to live within the town or suburbs of Galway, and that only twenty of the papist "trading merchants" duly licensed by the Lord Lieutenant should be suffered to remain. Some years later more stringent measures were adopted.

Galway 19 March 1707-8.

Sir—I have pursuant to order of last night's post turned all the popish inhabitants out of the town and garrison and have also

committed the several popish priests to the gaol. I have also taken care to remove the market outside the walls and have given orders to prevent mass being said in the town.

RICHARD WALL, Mayor.

To H. Poultney at her Majesty's Castle of Dublin.

Gallway 30 March 1708.

Sir—I have turned out of this town all the popish inhabitants and ordered that a watch be duly kept. I have alsoe secured six popish priests belonging to this town, there are still two wanting whom I will endeavour to secure. I have also sent for Coll. Dominick Browne who had a Regiment in the late King James' army and Sir Walter Blake who commanded a troop in the said army and tendered the oath of Abjuration to each of them which they refusing to take I have secured them both.

RICHARD WALL, Mayor.

How long the priests were kept in prison does not appear but on 22nd March, 1711, the mayor received instructions to cause the popish priests in Galway to be secured. This he did so effectively that the executive thanked him for his "endeavours to banish the priests those enemies to our constitution, and cause those you have apprehended to be prosecuted at law with the utmost rigour." Hence on 29th February the following year Thomas Wilson was able to report:

There is no priest or other clergyman in Gaol except one ffrier who was transmitted from Ballinarobe some Assizes agoe to be transported.

But transporting the priests was like mopping out the tide. So thought the House of Commons.

10 December 1713. The House being informed that several popish regular clergymen convicted who by the laws of this land have been ordered to be transported beyond the seas, have notwithstanding the said sentence returned again into this kingdom and most particularly to the County of the town of Galway and that several other popish regulars have of late come to that place who for want of a sufficient number of Protestant freeholders in the said County of the town of Galway after allowing the prisoners their peremptory challenges, cannot be brought to justice, the popish freeholders there never finding any of the said regulars guilty though on the fullest evidence.

Ordered, that leave be given to bring in heads of a bill to enable the protestant freeholders of the County of Galway to serve as jurors in all criminal cases in the county of the town of Galway.

This intolerable scandal was only removed by the 4 Geo. I., c. 15 which enacted that Protestant freeholders of the county might be summoned to attend at the assizes in any plea of the Crown, or at any trial at bar in the King's Bench, Dublin. Meanwhile even though a conviction could not be obtained, the priests who returned were kept in jail. Robert Blakeney, mayor, reported in 1714 :

One James French a regular popish clergyman has lain in gaol a long time, committed for high treason for returning from beyond seas after being transported. He could not hitherto be tried here for want of a Protestant jury of freeholders.

Doubtless this James French was the subject of the following correspondence :

Galway 12 Sept. 1701.

Sir—I had yours before the last Assizes in Galway in answer to what I writ about the poor priest my brother and am obliged to you for your favour. He was indicted at the Assizes for high treason on the supposition that he is a Dominican fryer but the Judge thought fitt to putt off his tryal and ordered that he should be in the mean time kept in Gaole. He is a poor sickly man and can't live if he be long in confinement I therefore thought fitt to make an application to the Government to baile him. The Judges had so good a character given them of his life and conversation by all the Protestants of the County that I hope they will speak a good word for him. PA. FRENCH.

To Jos. Dawson att H.M. Castle of Dublin.

In March, 1715, he was still in prison.

Com. Ville Galway.

Account of persons in Custody in the Circuit to be laid before Government.

James ffrench, Popish frier, Indicted for that he being transported before the 1st of May 1698 did traytorously return into this kingdom. Triall putt off severall times per defect Jurorum. Note he was indicted for coming into this kingdom and not transporting himselfe and he submitted to that and was ordered to be transported.

The following is the last evidence of him :

We hereby direct and require you to take effectual care that James French convicted of being a Fryer now under a Rule of Transportation in the Gaol of Gallwey be forthwith transported to Lisbon in Portugal. Given this 5 day of May 1718.

To the Mayor of Gallwey. CHA. MADDOCKES.

Yet not the last.

We hereby direct and require you to take effectual care that James French convicted of being a Fryer now under a Rule of Transportation in the Gaol of Gallwey be forthwith transported to Spaine or Portugal, Dublin Castle 16 August 1718.

CHA. MADDOCKES.

The correspondence for 1714 shows renewed activity. Samuel Eyre writes to Secretary Dawson, 4th May:

Pursuant to your commands some time past I have made diligent search and dispersed the nuns that were in this town but now I am informed that they are gathering againe and that by the advice of severall popish lawyers who tell them there is no law against their assembling and that if they be dispersed one day they may assemble againe. I desire your Grace's further commands on this occasion.

A month later, 7th June, Eyre again writes that he has issued search warrants against the popish clergy, and moreover had dispersed the nuns. So effectively was the work done that Robert Blakeney writing 26th October states:

There remaine now not any Popish secular or regular popish clergyman or any other person on the Government's account in Gaole here but James French.

He enclosed at the same time the following memorandum:

July 15 1714, Ignatius Bigg Master of the Three Freinds of Gallway His recognizance in £50 to transport Alexander Lynch a secular Clergyman as it is expressed in the Recognizance.

October 6 1714, John Hillhouse Master of the Hester and Mary Galley of Bristoll. His recognizance in £50 to transport Thomas McDermot Roe alias Lambert a popish Regular Clergyman of the order of St. Dominick, Gallway. The two recognizances above mentioned are in my custody. Witness my hand October 26 1714. H. ARKRIGHT, Collector.

Yet one never knew when these popish priests might turn up. Blakeney again reported:

I do find that John Brady a Popish Priest lately lived within the liberties of the said Corporation. Sometimes in the house of Patrick Brown in the town of Athenry and sometimes in the house of Charles French of Geethill near the said Town, and that he the said Brady lately quitted that neighbourhood but I could not find or learn that any other Popish clergymen live or can be found at any place within the said town or Liberties thereof.

So far so good. But on 24th January, 1716, their Excellencies issued another proclamation that they were informed there were still in the kingdom divers regulars and persons exercising ecclesiastical jurisdiction and other popish priests not registered. All magistrates were to make further search and seize them, the rewards for their apprehension hitherto offered were to be increased. As the priests were got rid of, Mayor Blakeney and Sheriff Smith addressed themselves to the other popish enemy. On 29th January they write :

> We have in obedience to their Excellencies commands drawn summons to all papists within this Town and County thereof to appear and take and subscribe the Oath of Abjuration. But having instructions produced to us by Collonel Barett to turn out all papists except about twenty merchants whom we bound over in Recognizances with Protestant security till they load and unload their shipping and are obliged to appear de die in diem before the magistrates of this Corporation to be dealth with as their Excellencies shall thinke fitt and on that account we suspended proceeding any further on the summons till we know their Excellencies further pleasure whether to keepe the Papists in generall out of town or suffer them in and proceed against them according to law.

A considerable body of the Protestants sympathised with their Catholic fellow citizens and this was made the ground of serious charges in Parliament. On 13th September, 1717, the extremists petitioned :

> For several years past a design had been carried on to support a popish interest within the town ; nunneries and other places of refuge for regular and secular priests, friars and other offenders against the laws had been connived at within the town ; great numbers of papists had been permitted to inhabit ; a sufficient number of Protestant freeholders could not be found in the county of the town to try offenders against the acts against papists whereby great numbers of popish priests, friars and dignitaries of the church of Rome frequently landed from foreign parts and through the connivance of the Justices were sheltered and from thence found opportunities to disperse themselves into all other parts of the kingdom.

Though Parliament graciously passed the "Galway Act" the priests continued to arrive. George Gerry, mayor, writes 2nd April, 1725 :

On the information of one Thomas Bigge I have secured four friers who do not indeed appear to have been transported and though they offer baile till next Assizes I have refused till favoured with the Government's directions. This evening the said Bigge forwarded me the enclosed paper.
[Endorsed] Show it to Solicitor General.

In November, 1731, we have the first of two detailed accounts of the "state of popery" in Galway. It was furnished by the Mayor, Walter Taylor.

The sheriffs gave me an account of a reputed popish chapel in Middle street in which chapel there is an altar, a canopy and some forms; and informed me that one Gregory French and Robert Skerrett two popish priests usually officiated therein; and another popish chapel in the same street in a warehouse belonging to Antony Bodkin, merchant, with some forms, and that one Patrick Bermingham titular warden and some other priests or friars whose names I could not learn officiate therein and which said warehouse was converted into a chapel five or six years ago; and that one Patrick Skerrett a registered popish priest a very old man officiates and says mass (as they heard) in his chambers in Skinner street; and that one Patrick Hoobane an old registered priest officiates and says mass in the parish of Rahoon in the west suburbs of Galway; and that one Gregory French (but whether he is a priest or friar I cannot learn) is said to officiate in the house of widow Skerrett lately deceased in Lombard Street near the lower barrack; and one Bodkin and one Banks (of whose Christian names I have not been informed) officiate in some of the said chapels or private houses. And they giving no account but as aforesaid and finding it not practicable without examining on oath some of the popish inhabitants to get an account of any other or what mass houses in the said town or what number of priests officiate in each of the said mass houses or of the private popish chapels or of the number of friars or nuns in each friary or nunnery respectively. I cannot be particular therein.

The second was sent by Thomas Shaw, mayor, 9th March, 1743-4:

County of the Town of Galwey to wit.
The Examinacon of Anthony French fitz Martin Merchant.
The said Examinate being duly sworn sayth that he heard mass the last time without Abby Gate at a reputed mass house. That one Lynch was the person who officiated and was reputed a regular; that Walter Joyse of Galwey, merchant, was present, one Thomas Blake of Turlogh, one Nicholas Bodkin and Walter Joyses wife; that said mass was celebrated on Sunday last.

That he know not the Christian name of said Lynch ; he believes him to be a reputed Fryar and a member of the society who live at said Fryery. That one Patrick Brown, Nicholas Lynch, James Moran, Francis French and Francis Martin are reputed to be Friers belonging to said Friery. Believes they are now dispersed. Sayth that there are four or five belonging to the Friery at the West, one Thomas Burke, one Stephen Kirivan ; cannot recollect the names of the others ; are reputed of the order of St. Dominick and believes they are likewise dispersed and knows not where they are gone to. Sayeth he knows another reputed order called the Augustinians. Sayth that there are four or five belonging to said house, one Daly and one Michael French belong to it ; knows not the names of any of the rest ; believes they are also dispersed. Sayth that there is a Mass house in Middle street and four or five persons reputed to belong to it ; that they are secular priests and are called Anthony Blake who is reputed Titular Warden, Francis Kirwan and Laurence and Nicholas Lynch who are reputed vicars. Sayth that the said Anthony Blake when in town lodges at Walter Blake's, merchant, Francis Kirwan with his sister in Middle street, Nicholas Lynch with one Arthur a brother in law of his without the Gates. He believes they are not now in town ; knows not where they are gone to. There is another Mass house in Middle street but was not there these thirty days ; that one Ambrose French belonged to it ; heard one Andrew Lynch sometimes officiates there ; believes them to be secular priests. Knows not whether they are now in town but believes they are not ; knows one Mark Halloran to be a reputed secular. Saith that there are three nunnerys belonging to the town as he hears, and are called Franciscans, Dominicans, and Augustinians. Knows not how many are in each. Heard some of them are now dispersed. He knows not of any Archbishop or other Clergyman of the Popish religion disguised, concealed or itinerant in said town. Hears there is one Nicholas Merrick a reputed secular that officiates in the West and one Walter Burke a reputed secular that officiates in the East Libertyes.

Michael Burke of Fahybegg Merchant being Examined etc. One Hobbert Burke officiated at the West Chapple last Sunday ; there may eight friers belong to it but some have not been in town some time. They are called of the Order of St. Dominick. He knows one Geoghegan ; he was called Arthur when he first knew him but his name was afterwards changed. Knows one Thomas Burke, Walter Burke, one Creagh. He heard them all from time to time say mass ; they are now scattered ; knows not where. Knows a friary without Abbey Gate that goes by the name of St. Francis. Knows not how many belong to it. Knows another Friary called the Augustinian ; that sometimes four sometimes five belong to it, one French, one Blake, one

Daly are of the number. Knows of a chapple called the Priests chapple in Middle street. Knows one Mark Hollereran ; is old and thinks he does not officiate.

Two years later Stratford Eyre was appointed governor of Galway and "vice-admiral of Connaught." This old soldier seems to have concentrated in himself all the bigotry of the province, and amidst the piles of fading letters on forgotten topics in the Record Office, his correspondence glows with unique fire and vigour. He had the utmost contempt for the corporation. "The mayor," he writes, "is the son of a man who was my Lord Tirawly's footman, one sheriff is a beggar, the other a shoemaker and a poor one, the deputy recorder a poor antiquated man of seventy who is supported by the papists." In a lecture to the corporation he continues :

Noe, Gentlemen, that you are here in your corporate capacity I must recommend to you to disperse those wrestless popish ecclesiastics. Let me not meet them in every corner of the streets where I walk as I have done. No sham searches, Mr. Sheriffs as to my knowledge you have lately made. Your Birds were flown but they left you cakes and wine to entertain yourselves withall.

On November 20th, 1747, he wrote :

Alderman Ellis has let the houses which were friaries to those ecclesiastics, there are in this town and suburbs above 180 of those ecclesiastics and within the Liberties lives Robert Martin a most dangerous murdering Jacobite.

Next month the situation had grown still more desperate.

There are six friaries and nunneries, two popish chappells, eight popish schools, above thirty papists to a Protestant and at least 200 popish ecclesiastics within the town and suburbs many of whom were agents and emissaries and all of them affected to the interests of France and Spain for whose success they publickly prayed in their chapells. Numbers of popish ecclesiastics arrive daily from abroad by way of Holland to Cork and appear publickly in the streets . . . . . within the last twelve months three sentinels had been knocked down at the west gate one of them by two Dominican friars named Burke and Geoghegan and the other two by papists. Of late years several old Protestants and the children of such had been perverted to the popish religion by the indefatigable assiduity, diligence and unlimited access these ecclesiastics had to the town and suburbs indiscriminatly.

Henceforward for over a dozen years, Governor Eyre carried on the war against popish ecclesiastics, often with little encouragement in high quarters.

Eyreville 12 May 1750.

Sir—There is a large Popish chappell now building in the Middle street within the town of Galway. As I apprehend this proceeding may in its consequences affect his Majesties service and to be contrary to laws for the encouragement of a Protestant settlement there. I request you will be pleased to lay this account before their Excellencies. S. EYRE.

[Enclosure].

Our neighbours flushed with their success and exulting in the destruction of a Hopefull Protestant Simenary which promised itself to be raised emongst us are (to our shame be it spoken) now erecting a large mass house (or chappell rather) in or near the Centre of our town to be Illustrated with Altar pieces, Quiers Organ, paintings and all other ornaments and embellishments which adorn any of the foreign churches.

Gallway 19 August 1755.

Sir—I have reported to his late Excellency the Earl of Harrington and to his Grace the Duke of Dorset that three houses in this town and within pistol shot of the walls are inhabited by Resident Emissarys and agents of Rome. It is my duty to apprise my Lord Lieutenant that there are three fryarys here to wit, Augustinian, Dominican and ffranciscan in which I am informed there are thirty fryars and I humbly submit it to his Excellency's consideration how impenetrable to my observation these Regulars (who appear like other Inhabitants in the streets and in public places and to do them and all the Papists here justice, behave very quietly and inoffensively to outward shew) may receave and convey intelligence to the enemy unless some means by Intercepting post letters their correspondence may be discovered. I hear their letters are directed to them as if they were in Lay character and I send you the names of as many of them as I could without suspicion collect. Our assizes is a time that brings severall persons hitherto who have no business in the Courts and may well be suspected of other views. S. EYRE.

To Secretary Waite.

[Enclosure].

Peter Killikelly Titular Bishop of Killmacduagh.

Robert Murphy, Stephen Kirwan, Robert Browne, Thomas Burke Brother to John Burke formerly sheriff.

Gregory Joyce
Thomas Geoghegan
Walter Burke
John Bodkin
} Dominican Fryers.

Michael ffrench Provinciall Generall of all the Augustinians in Ireland.

ffleming Prior of the Augustinian convent Galway.

Thomas Daly, Augustine Blake—the rest of the Augustinians not yet informed of.

Thomas Blake ffrancis Martin and John Martin } Brothers of Jasper Martin of Ross formerly in the Commission of the Peace.

ffrancis ffrench was last year in Rome—these ffranciscans. The rest not informed of.

Dr. King a Jesuit, Blake Titular Bishop of Killala, Antony Blake Titular Warden of Galway, Andrew Marcus and ffrancis Kirwan viccars.

On this occasion Eyre was encouraged to proceed against the priests.

Galway 6 September 1755.

Sir—At one this morning I secured ffrench and ffleming in their beds in their convent and they are now in my house kept apart and treated agreeable to my Lord Leiutenant's Instructions. All the papers which I could find upon the strictest search I send this express sealed up and they are all (one paper excepted which Sir Thomas Prendergast and I read) uninspected since they came into my hands. There are a number of books in their rooms sufficient to load a car and by Sir Thomas's advice I shall forthwith shut up and fix a seal on the doors where the books are and post a sentry over them. I've strictly adhered to your instructions and it was not known that they were apprehended till this morning at 7 o'c. The astonishment of the people is great and their clamour against me but as I have your leave to communicate my Lord Lieutenant's favourable dis positions to them by your Letter of the 2nd instant I hope in a few hours all will subside.

The Mayor is now examining ffrench who seems very open and communicative and is in whose handwriting down (*sic.*) His Examination which with ffleming's shall be sent to you. He suspects a frier named Marcus Mannin and chaplain to Mrs. Daly the widow of Thomas Power Daly who lodges in King street Boarding school to have represented him in the obnoxious light he is. Inclosed is a direction to find Mannin if you think proper to examine him. These people offer vast securityes for their appearance but till his Excellencies pleasure is known I will detain them in my house. S. EYRE.

To Mr. Secretary Waite.

When the sealed letters were opened in Dublin, they afforded no evidence of Jacobite or other plots, and the friars were soon after liberated. Governor Eyre was long kept out of the rewards

he claimed for capturing friars. When the government in Dublin were tired of him he applied to London. Secretary Wilmot wrote to Waite 29th March, 1759:

Governor Eyre having lately transmitted to the Duke of Devonshire the enclosed memorial, his Grace has directed me to send it to you and to desire as the service was performed in consequence of orders from England during his Grace's administration, that you will remind their Excellencies the Lords Justices thereof that Mr. Eyre may be repaid all reasonable charges. But the Duke of Devonshire leaves it to the Lords Justices to determine whether Governor Eyre is entitled to the reward which he claims for apprehending such persons. His Grace recollects that what was suggested against the friars was so far from being founded that they proved to be not only very inoffensive men but objects of compassion and were relieved by his Grace accordingly.

Passing from the city to the county of Galway the first letters met with relate to the troublous year 1708.

Galway 30 March 1708.

Sir—I find a great number of the County Gentlemen will be confined in this town by the High Sheriff on their refusal to take the Oath of Abjuration. We shall by it make but a bad exchange to take into the town Gentlemen that have been officers in lieu of Merchants who can do us not much hurt. The Sheriff has a Gaol which will be the occasion of their all coming hither and I have heard the sheriff will under pretence of this Gaol lodge such as are sent hither in other places. I have told him that if he would take a large house for them I would give him a guard but otherwise I would not admit them into the town. J. EYRE.

To Jos. Dawson Esq.

Galway 6 April 1708.

Sir—The Garrison of Galway who had turned out the Papists were very unwilling to receive the Irish officers and priests that were to be sent in by the Justices. For which reason to avoid there being too many in one place I appointed some in Gaol, some in Loughrea the County Town where we have two troops of militia and dragoons to guard them. Very few either priests or officers sent in yet but I will send a particular account in a post or two.

To Jos. Dawson Esq. EDMD. CROW.

Hedford 18 May 1708.

Sir— . . . . . The Priests and officers I mentioned are persons that absconded untill the government's orders for bailing were heard of, and are willing now to give bail according to the prescription. J. CARVER.

Three years later the proceedings against priests were particularly brisk. David Power, high sheriff, writes from Galway 22nd February, 1711-2:

Most of the Constables in this county are Papists and it is hard to trust them in this affair and especially [as regards] the priests who are in great numbers registered and unregistered.

I have acquainted severall of the Justices of the Peace of the Lords Justices commands in relation to the priests and their meeting. It is a general rumour that there are several men with scarlet cloaks and that spake ffrench go up and down the country by night. The Gentlemen in the county are in great feare and apprehension.

This was confirmed by Vesey, archbishop of Tuam, four days after.

There is a great resort of the Roman Catholic Gentlemen out of the other provinces to Galway to avoid the oath of abjuration. The Judges will find much opposition from the Roman Catholic Lawyers and the Gentry of this province.

The archbishop also complained of the supineness of the magistrates. A meeting of the magistrates, he wrote, was convened by Mr. Bingham on the 23rd. They all promised to try and seize what priests they could that had not taken the Oath of Abjuration, which none have done except one in the whole county.

Early in March an important capture was reported, no less a person than the bishop-elect of Killala.

Mar. 11 1711-2.

Sir—I have seized Doctor Ambrose Madden a regular popish priest from the parish of Loughrea; this man is looked upon to be the chief of them in this County. I send you the enclosed certificate as desired from the Gaoler. I have acquainted severall of the Justices of the Peace of their Lordships resentment in not apprehending the popish priests. If it were not for the assistance of the Dragoons at Loughrea I should be stoned to death by the mobb on account of Madden for there was two or three hundred comeing about me by night. They [priests] absconded from me and are out upon their keeping and if the Government were pleased to send me directions to gett the Recognizances that were given by severall of the Gentlemen of the County at the time they were registered and to sue their sureties upon the said Recognizances they would all come in. Pray lay this before his Grace and their Excellencies. Your most humble servant,

D. POWER.

This I hope will be lookt upon as a good method to secure them priests that abscond.

[Enclosure].

Co. Gallway. I Doe hereby Certify that David Power Esq. High Sheriff of the said County committed to my Gaole the body of Ambrose Madden Popish priest and registered for the Parish of Loughrea and that I have him now in my custody in the said Gaole. Given under my hand the 7th day of March 1711-2.

STE. FULLER.

The capture of the bishop-elect appears to have put the others on their guard. Power again writes 14th March:

I have searched diligently but could not seize any more of the popish priests but Collonel Samuel Eyre tooke Dermot Dolan a priest but he made his escape by a rescue. They have all absconded but this day I sent their sureties summons to bring in the priests.

Robert Blakeney sent from Castleblakeney a fresh suggestion for dealing with the matter.

All our popish priests who are in the bottom of this [cattle houghing] and the maine springs of it are absconded and will not come in I know of but very few and am humbly of opinion that if the Magistrates had orders to seize the houses of suspected papists and also their persons in order to oblige them to take the oaths of allegiance and abjuration it would be of great service.

This was in March but the pursuit of officiating and unregistered priests went on through the year. On 23rd December, 1712, the high sheriff, Robert Mason, writes to say he will to the best of his power carry out their Excellencies instructions with regard to the priests.

Of the following years there are occasional glimpses. Six county magistrates met at Athenry, 22nd June, 1714, to take council how to get rid of the popish clergy. In a letter to the executive they state that the orders on that matter will be fulfilled, and continue:

We most humbly represent that there has been severall of the Popish priests of this County who were registered and had not taken the Oath of Abjuration, taken and committed by the Justices of the Peace to the Gaol of Galway who were from time to time admitted to baile by the Justices of Assize.

At the spring assizes 29th March, 1715, the following presentment was made:

We find and believe that great numbers of Priests and ffriars and other Ecclesiastics of the Romish persuasion have come into this kingdom within these four years last past and we do believe that all such as are not registered have lately come into this kingdom in regard that had they been here at the time of the Registring of the Priests required by Act of Parliament they would have registered themselves as well as those who were in the kingdom did. And we further find that a great number of Priests as well those Registered as those not Registered were at a Quarter Sessions held for this County 7 July 1714 presented upon Informations of their having celebrated Mass and not having taken the Oath of Abjuration, their names and places wherein they celebrated mass are contained in said Presentment now in the hands of the Clerk of the Peace for this County.

We are credibly informed and verily believe that great numbers of fryars have within these very few years come into this kingdom and settled themselves in the following places in this County, viz.—Kilconell and in another place near Portumna as also in Tomona neare the Abby of Kinelehan, in Ross near Headford in Loughrea, in the Abby of Milick, in Keilneschall, neare the Abby of Athenry. And that the great discouradgements that in the close of the last Reign were given by the men in power to such as were active in suppressing all ffryaries have contributed greatly to their settling in this county in defiance of the laws.

And we further beg leave to represent that at a Quarter Sessions held the 7 July 1714 and at a private sessions held at Aghrum the 29 of June 1714 great numbers of priests were presented for celebrating mass not having taken the Oath of Abjuration, the said presentments are now in the hands of the Clerk of the Peace but no process as yet issued. And we make it our humble request that your Lordships would immediately issue particular directions to the High Sheriff of this County to be diligent in apprehending the said persons.

The names of such Regular preists of this county as are deceased and such as supply their places.

1. Owen Donelan of Killane parish Deceased and cant tell who supplies his place.
2. Gregory ffrench of Down's parish Deceased and cant tell who supplies his place.
3. Walter Costello of Addergole parish Deceased, succeeded by ffergus Kelly Registered for Ballinakill.
4. Hugh Madden of Cloontuskert parish Deceased succeeded by Bryan Lorkan registered for Bullan.
5. Murtagh ffahy of Ballynacourty parish deceased, cant tell who supplies his place.
6. Edmund Knavin of Dooniry parish Deceased, cant tell who supplies his place.
7. Thomas Burke of Ardrahan parish Deceased succeeded by Edmund Lynch and John Cullan.

8. John Dolphin of Killmedeen parish Deceased, succeeded by Jonock mc Hugo registered priest for Killtoskell.
9. Patrick Keoghry of Killconickny parish Deceased cant tell who supplies his place.
10. Edward ffrench of Spidell parish Deceased cant tell who supplies his place.
11. Walter Dillon of ffeonagh deceased succeeded by Cormack McGuriffe.
12. James Hynde of Killtarton parish Deceased cant tell who supplies his place.
13. John Concanon of Templetogher and Bungonogh parishes Deceased succeeded by Andrew Crean lately come into this kingdom.
14. James Boytogh of Killbennet parish Deceased cant tell who supplies his place.
15. Dennis Bryan of Killisoran parish Deceased cant tell who supplies his place.
16. John Egan of Killursa parish deceased, succeeded by Dennis Hynde registered priest for Kilcolgan.
17. Reynald Kealy of Killconry parish Deceased succeeded by Peter fflanry.
18. Peter Donelon of Killcooly parish deceased, succeeded by Owen Donelan.
19. Thomas Jounins of Killmordaly deceased, Peter fflannery officiates.
20. Rickard Burke of Ballmekelly parish deceased, succeeded by Myles Welsh.
21. Coagh ffallon of Killrickell parish deceased succeeded by Owen Donelan.
22. James Mannin of Grange parish deceased, succeeded by William Murphy.

A sample of the informations sworn against priests may here be given :

The Examination of John O'Mollowny of Ballyheane taken before James Macartney and William Caulfield Esquires Lords Justices of Assize for the Connaught Circuit the sixth day of April 1715.

This Examinat being duly sworn on the Holy Evangelists and examined saith that he knows Francis Burke of the County of Gallway to be reputed Vicar Generall and James Lynch Titular Archbishop of Tuam, and that he hath known the said Francis Burke to execute the office of Vicar Generall by divorceing severall couples from the Bonds of Marriage particularly Thomas Paddin and Mary Mannin att Ballheane in the County of Mayo in the house of Edmund Costello parish priest of Ballheane about five yeare agoe and also in the house of Teig Mally at Morisk in the Owles in the County of Mayo. He this Examinat was present when the said Francis Burke did order [ordain] Bryan

Mulcroan and Peter Gibolane popish priests, who now officiate as popish priests in the County of Mayo and Peter Gibolane is popish priest of the parish of Cloghwell and the said Francis Burke now dwelleth neare Slewboghteen in the County of Gallway neare Loughrea and that Patrick Duffy Registered Popish parish priest of the parish of Ballinrobe is reputed the other Vicar Generall of the said Diocese of Tuam, and that he came into the said office in the place and stead of Dominick Lynch nephew to the said Titular Arch Bishop and that the said Patrick Duffy and the said Francis Burke together with Patrick Twohill, a regular, Bryan Mulcroon, Peter Gibolane, Edmund Nally, Thomas Mulkeeran all popish priests and severall others of the said function not known to this Examinat met at Lane near Aghagower in the parish of Aghagower Barony of Moriske and County of Mayo and being part of the lands of Valentine Browne and on or about the twentieth day of November last, the said Francis Burke, Patrick Duffy, Patrick Twohill, Bryan Mulcroon, Peter Gibolane, Edmund Nally and Thomas Mulkeeran did celebrate seven masses from Dawn of Day till 12 of the Clock, and this Examinates cause of knowing is that he saw all the said persons before named except Burke, Mulcroon and Edmund Nally in their surplaces and saw particularly Francis Burke and Patrick Twohill elevate the wafer and the same day the said Francis Burke and Patrick Duffy ordained ffifty popish priests as Patrick Twohill told this Examinat and that in or about the twentieth ffebruary last the said Francis Burke and the other persons before named were to meet on the lands aforesaid and John Mally popish priest of the parish of Barrescarny told this Examinat it would be an Act of Charity in him if he knew anything of a contract between Richard Walsh and Margaret Walsh and the rest of the said persons in order to divorce the said couple. When this Examinat went to the said place the said John Mally told this Examinat that there would be no meeting that day, that Patrick Duffy aforesaid is now dwelling in Westport in the County of Mayo and that this Examinat saw the said Patrick Duffy on Sunday 13 day of March last at Westport aforesaid in the said street and saw great numbers of people gathered about the house of Thomas Joyce, and the said Patrick Duffy came out of the said house about an hour after the Multitude of people that had been there were dispersed which gave cause to this Examinat to suppose that they had mass the said day in the house of said Thomas Joyce and further saith not.

Jurat coram nobis 7 die Aprilis 1715. JA. MACARTNEY.
JOHN his X mark MULLOWNY. W. CAULFIELD.

Of the proceedings against priests in 1744 there are some vivid accounts.

Loughrea 24 Feby. 1743-4.

Sir—I received my Lord Chief Justices warrants against two popish priests which shall be strictly obeyed by me to the utmost of my power. As the papists who live here has (*sic*) the earliest Intelligence for the priests being taken upp in Dublin they all fled here from their convents and fryerys but as the two priests I am to pursue live remote and in the country I hope in some short time to give you a better account of them.

RICHARD CROASDAILE.

Loughrea 30 March 1744.

Sir—Yours of the 3rd should have been answered some time but I could not inform myself of half the number of Popish clergy in this County At the other side you have the most perfect list I could make. RICHARD CROSDALE.

To John Lyons Esq. H.M. Castle of Dublin.

[Endorsed].

Peter Donelan titular Bishop of Clonfert lives at Kellmurayn in the parish of Tynagh.

Titular Archbishop of Tuam one O'Garah. Cannot learn his Christian name nor where he lives.

Kelly—titular Bishop—likewise.

Friary at Loughrea.

John Haghagan, James Coleman, Leacy —., Peter Cullenan, John Lennan.

Friary at Killconnell.

Edmund Kelly, Walter Kelly, John Spein.

Friary at Kellascall—Dominicans.

Dominick Burke, Thomas Dolphin, Patrick Burke, Dominic French, Patrick Moran, Charles French, William Keighay Pryor.

Friary at Meelik of the Franciscan Order.

James Madden, Dennis Madan, Guardian, John Lorkan, Thomas Brodor, John McHugo.

Buoby Friary, Dominicans.

Thomas Madden, Ulick Burke, John dwane.

Friary at Tomona.

Nicholas Walsh, Anthony Burke, —. Madden, Dominick Hickey.

Friary at Clare Galway.

Thomas Morris, Guardian, —. Burke.

Passing from Galway to the adjoining county, Mayo, we find considerable evidence of the activity of the magistrates there. In the winter of 1711-2 there was an agrarian outbreak with the usual concomitants, cattle-houghing and the like.

Dublin Castle 4 Mar. 1711-2.

My Lord—His Excellency and Council have reason to believe so much mischief could not be carried on without the connivance and knowledge if not the concurrence of the priests, so their Excellencies gave directions to the Justices of the Peace in the Counties of Gallway, Mayo, Roscommon and Clare to commit all the priests of the popish religion in their respective counties to Gaole and if you think it may be of service in your County they desire you will pursue the same method and return an account thereof to me. JOS. DAWSON.

To the Lord Mayo etc.

His lordship did not need this spur; he was already in the field.

Castle Bourke 25 Feby. 1711-2.

My Lord—According to your last resolution I have yesterday apprehended the priest of this parish and sent him to Castlebarr. About the dead hour of the night last night there came some people in their boots from the East Gate of my lane to my house doore where they stood for some time and from thence they walked to the West Gate towards my stable and soe back againe to the East Gate. Whereto I went this morning as soon as I had the account from some of my servants, when I found the fresh tracks of men and horses. I tooke measure of boots which I have tried with my own men and horses and finde they doe not agree any way . . . . . MAYO.

He concludes by requesting that arms and ammunition should be sent him immediately. The arrest of priests was not unattended with risk and the magistrates were dilatory. A fortnight later, 11th March, the following mandate was sent to the high sheriff:

It is their Excellencies pleasure that you send to the popish priests of your County or their securities and lett them know that their Recognizances will be put in suit if they do not forthwith appeare and surrender themselves to you.

Whether this threat brought in the priests or not does not appear. Some of them certainly held out as we gather from the letters of one of the most energetic of the Mayo magistrates.

Milford 2 September 1712.

Sir—I have att last though with some difficulty gott Father Neale Boyle and pursuant to their Excellencies directions committed him to the Gaole of Gallaway without Baile or Manprise till their further pleasure be known. He was taken on Sunday last by a Sergeant belonging to Captain Hall's company who has had my warrant against him ever since I knew their Excellencies pleasure but could not meet with him till Sunday,

the priest having had notice as he owned to me. Great numbers of the Irish flocked in to see him and would very faine have bailed him. The popish merchants of this town offered to lodge £1000 in my hands as security for him rather than that he should goe to Gaole; they showed great concearne for him and some of them said they would apply to the Governor of the County. I am told that soon after the priest was taken and before I came to town that severall of the popish mob of the town came to the house of Dr. ffallen a Clergyman in our Church and abused his wife by giving of severall curses and ill landguage, alledgeing that her husband and she were the occasion of Father Boyles being taken. I doubt not but that on this occasion I had an addition to the volleys of curses I had on ffather Duffey's account but hope neither will much prevaile. I am Sir etc.

To Secretary Dawson. ROB. MILLAR.

Castlebar 23 Sept. 1712.

Sir—As to Neale Boyle I gave you an account of his being taken and committed. All I know is that he is as I am informed a popish unregistered priest lately come from France and that he came to Tuam and then as 'tis alledged by some ecclesiasticall or forraine jurisdiction, turned out one Patrick Borne registered priest of the parish of Tuam who officiated there for above twenty years past. ROB. MILLAR.

A few more documents illustrative of the working of the code in Mayo may be given:

To their Excellencies the Lords Justices of Ireland.

Presentment of the Grand Jury of Mayo at Assizes held 4 April 1715.

We finde and believe that great numbers of Popish Fryers and other Ecclesiastics of the Romish persuasion have come into this kingdom these four yeares last past and that severall have also been ordained within that time in this County.

We finde and present that no Registered priest in this County hath ever taken the Oaths pursuant to the statute except John Durken Registered priest of the parishes of Killedan and Boghola.

We by leave to present to your Lordships that we are creadibly informed and verilly believe that great numbers of ffriars and other Popish regulars have within these few years come into this county and settled themselves neere the severall abbys and convents therein and that the great Discouradgements that in the close of the last Reigne that were given to such as were active in suppressing all ffriaries and putting the laws against popery in Execution have contributed greatly to their settling in this county in Defyance of the Laws and we humbly conceive it will be of signal use to the service of his Majesty to encouradge all persons in their severall stations to contribute all that in them lyes to putt the Laws in Execution.

A List of the Priests Dead.

Patrick Duffey of Ballinrobe popish Registered priest absconded.
Joseph Bourke officiates in his place.
John Brown one of Duffey's securities dead.
John Synod registered priest of Cong parish, turned out by popish authority. Security John Brown dead.
Miles Bourke and Jon Sacrisey officiate in his place.
Walter Bourk of Cahernecolurna registered priest of Ballaculla Parish dead. John Synod officiates in his place.
Richard Nally registered priest of the halfe parish of Rusley parish, dead. Some young priest officiates in his room whose name we have not.
Patrick Glin Registered priest of Taughine parish, dead. George Kendrick officiates in his place.
Darby MacNamara Registered priest of Adrogule Parish Dead. James Henry officiates in his place registered in Ardough parish.
Denis Kimlicane Registered Priest of Killfine and Rareagh Dead. John Bourk officiates in his place.
George Landly registered Priest of the parishes of More and Kill-macanoge, Dead. Jonine Revane officiates in his place.
John Durken Priest of the parish of Killedan who took the Oath of Abjuration turned out of his parish by Dominick Bera registered but of no parish.
John Rudey of the parish of Milick, Dead.
Morrise Franc of Killkellduff parish, Dead. Anthony Henigan officiates in his place.
John Morrise of Knock parish, Dead. Brian Gara officiates in his place.
Edmund Costolow of Castlebar parish, Dead. John McDonnell officiates in his place.
Eneas McDonnell of Burcas Cara parish, Dead. John Mally officiates in his place.
David Trasey of Ballioney parish, Dead. Miles McDonnell officiates in his place.
Miles Gibson of Aughagoure parish, Dead. Patrick McToule lately come from France officiates in his place.
Teige Reilly of Oughavale parish, Dead. Peter Gibolane officiates in his place—still officiates.
We find and present that Richard Hoobane a Popish priest not registered officiates in the parish of Adragoole.

Of the outburst of persecution in 1744 only one memorial is discoverable.

Castlebar 9 March 1743-4.

Sir—All I can learn is that James Roween a friar of what order or place of abode I am not informed has been often here since Christmas last but has not been seen since last Monday.

THOMAS ELLISON.

In Sligo as in the other counties of Connaught the priests were regarded as at the bottom of the agrarian troubles of 1711-2. Early in 1712 instructions were sent by Secretary Dawson to have the priests put under arrest. The high sheriff replied 29th February that the county magistrates had issued warrants against them. This was followed, 4th March, by further directions to Colonel Chidley Coote at Coloony to commit them to jail, and on same date to Edward Wingfield at Sligo, adding

I hope soon to have an account from you of the number of priests committed with their names and a Certificate from the Gaoler of their being in his custody.

Wingfield replied, 11th March, 1711-2:

Most of the popish priests are fled from their dwelling houses and their usual places of abode. I humbly offer it that it be given in charge to the Judges of Assize to call for the respective priests in the severall countyes and their securities by their Recognizances. This will in some measure help to bring them in.

On 20th March a proclamation was issued by the Lords Justices and Council that whereas they had information that the popish priests had aided the cattle houghers, that therefore all priests in Connaught, Clare, and Fermanagh were to surrender themselves before the 28th March, and those that did not so surrender were to be arrested forthwith.

The only effect of this appears to have been to put the priests more than ever on their guard. But throughout this year an active pursuit was kept up. From a sheaf of depositions still preserved we glean much interesting detail.

Co. Sligoe ff.

The Depositions of Mr. Thomas Corkoran and other of the Popish Inhabitants of the Town of Sligoe taken before us Percy Gethin, William Ormsby and Robert Lindsey Esquires. Three of her Maiesties Justices of the Peace for the County this 28 day of October, 1712.

Thomas Corkoran of Sligo Merchant being duly sworn upon the Holy Evangelists and Examined saith that the last time he heard mass was about fifteen days agoe about the 13th inst. and that the said mass was celebrated by one Peter ffieghney and that after the manner used in the Church of Roome and that the said Peter ffieghney was registered but is a non juring Popish priest of the Parish of Killadoone in this County and

that he does not know where he resides and that he knows of no Popish Dignitary or Regular in the said County and further this Examinat saith not.

John Mayly of Sligo Merchant being duly sworn saith also that he did heare one Molass O'Mighane who is a priest in the County of Leitrim say mass in Sligoe after the usuall manner in the House of one Patrick ffrench about three weeks agoe and further this Examinat saith not.

Other Depositions taken before us November 4 1712.

James Friele of Sligoe Apotechary being duly sworn upon the Holy Evangelists and Examined saith that the last time he heard mass was at the Mass House or Chapell neare Sligoe about the 15th of October last and it was Peter Fieghney who was registered popish priest of the parish of Killadoon in this County (but is a non juror) who did then celebrate the same and that there was then present James Jolly and severall other Popish Inhabitants of the town of Sligoe at the said mass and that he did not see any strangers present neither priests nor ffriars but that Dennis Kerregan who is registered non juring Priest of the parishes of St. Johns and Calry in this County was there present being his Parish. He further saith that he heard mass severall times within these six months last past from the said Denis Kerrigan and Peter Fieghney in the chapell aforesaid and at Patrick Devanny's House and at his own house in Sligoe. He also saith that he did hear mass celebrated at Ballyshanny in the County of Donnygalle by one Turlough McSwyne a reputed frier of the Order of St. ffrancis and of the Abbey of Donnygall.

He further saith that he did see another frier in Sligoe by the name of John McGwyer and one other called ffieghny and another called Garrett Cullian all ignorant, and that he knows not whether any of the said friers or regulars either resided or abyded. He further saith that in the North part of the kingdom he knows of severall regulars viz. one John Padeen and one ffather James Pottan and one ffather John Gallaher and that he knows not their residence although he hath frequently seen them there and he saith that he hath seen no Dignitary of the Church of Roome that he knows but saith that he has heard of severall as of a Bishop one McDermott in the County of Roscommon who is titular Bishop of Elphin and one Rourke who is Titular Bishop of Killala and says that he believes the said Bishops doe ordayne severall young priests but that he has seen none of them and further this Examinat saith not.

Charles Fallon being duly sworn etc. saith that the said priests Dennis Kerrigan and Peter ffieghney did use to be at one Morgan McCurrick's house in Sligoe before the Government Proclamation but where they reside since he knows not.

Owen Devanny being duly sworn and examined saith that he knoweth one fr. James ffieghny a regular of the Order of St.

Dominick who he heareth is or used to be Prior of the Convent of Sligo.

Bryan Hart being duly sworn etc. saith that about the beginning of August last being at the funerall of one Mr. Conmy about twelve miles from Sligoe he heard severall masses from three or four priests that he knows not and further saith that he saw at the said funerall one McDermot reputed to be Titular Bishop of Elphin.

Peter Kelly being duly sworn etc. saith that the last mass he heard was at Bundroos in the County of Donygall and the same was celebrated by ffather Patrick Levany priest of the parish of Fennor in the said County.

The depositions of Teig McDennagh of Ballraghaboe and others taken before us William Ormsby and William Smith Esquires two of her Majesties Justices of the Peace for the County the 29th day of October 1712.

Teig McDennagh being duly sworn on the Holy Evangelists and examined saith he heard mass the last Sunday was sennight at Castlesorragh in the parish of Shancough in this County and the same was celebrated by one Bryan McDermott roe alias John Smith a priest lately come into the county in the place of Peter ffieghny since removed to Sligo. This Examinat saith that the said Bryan McDermott or McDermott roe lives near Sleebegurmoyle in the barony of Tyrurill. He also saith that he did see one Thomas Rutlidge a reputed friar and knoweth no place of residence he has, and also saith that he did see one Rourke who he hears is Titular Bishop of Killala.

Bryan McDonagh being sworn and Examined saith that he did hear mass celebrated Sunday last at Taonah in the parish of Kill m^{c}alden by Mathew Brehon registered non juring priest of the parish of Taonah. This deponent did also hear Teig Dawney celebrate mass in the parish of Ballysodar in this County at Carrigbanahan, the said Teig Dawney being a registered non juring priest. He further saith that he hears there are several ffriars in the Country but that he neither knows them nor the places of their abode.

William Bourke being duly sworn etc. saith that the said McDermot roe disguises his name to cloak his power in the Church. This Deponent also saith that he heard one Bryan Higgin say mass within the space of two months in the parish of Killross and that he the said Bryan Higgin dwells at Danmer in the parish of Ballysummahan being a registered non juring popish priest. This Deponent also saith that he heard one Denis McDermot celebrate mass in the parish of Killmacbrany in this county. He saw one Garrett Cullinan a friar preach at Gunervaugh in the parish of Kill mc Treany aforesaid and this Deponent also saith that he saw one Gallagher an itinerant frier at Lorga in the parish of Ballysumehan; he did also see one Thomas

Rutlidge a friar and heard him celebrate mass at Lurga. This Deponent saith he did see one Rourke who is reputed to be Bishop of Killala travelling on the road in the barony of Curren ; this Deponent further saith that he heard there was one McDermot Bishop of Elphin sometime ago in the upper part of the barony of Tyrellin in this County.

The Depositions of severall Persons taken before us Percy Gethin and Robert Lindsey two of her Majesties Justices of the Peace for this County 11 November 1712.

Paule Cunningham of Drynaheen in the parish of Kellaskbrom in said county yeoman being duly sworn and examined saith that he heard mass said in a field at Drynaheen about two months ago from one who was a stranger that said he was going over seas and that he was a young priest and this Examinat was then told his name was McDermott.

William Ward of Farrinacuny in the barony of Carbery being sworn saith that about three weeks ago he heard mass at Lysidyll in the parish of Drumcliff in this County from Cormac ffeeny who is a registered non juring priest of the said parish and that there were no strangers then present but one Cassidy and the said Cormac ffeeny lives at Mullynevaine in the said parish and this Examinat saith that about June last he heard mass in the said parish from one that he is informed is Richard Doherty a regular popish priest about Mullingar.

Hugh Gallagher being sworn and examined saith that he did see one Mac Swyne in the parish of Aughanlish in this county who is said to be a ffrier and that he is informed there are young clergymen made but not any more and this Examinat saith that he heard of one Manus a popish school master but knows not where he resides.

Though informations were taken and warrants issued, the priests were too elusive. It was easier to see the game than to bring them down. A return from Sligo to the Castle authorities, 12th December, 1712, is graphic, "No priest yet brought in." Still the magistrates bravely held on to the work. The details for 1714 are particularly full. William Smith, mayor of Sligo, was the channel of communication. On 18th June he wrote :

The Justices of the Peace met yesterday to administer the Oath. Very few appeared and but one took the Oath, we are now issuing warrants.

This had little effect.

The Magistrates made use of all the expedients they could by issuing of warrants and found no benefit by It. All are of opinion that if the Government give orders to the soldiers to

assist, they question not of giving a good account of their duty. Without which the Papists are so numerous and so insolent we cannot pretend to do any considerable service. The popish clergy of all ranks and orders were never more numerous nor active.

The Grand Jury made the following presentment:

We return that Hugh Ternan of Drumleefe priest is dead and Owen Cunnoohan is in his stead.

We return that James Connell of Ballasidare priest is dead and Teige Davy is in his stead.

We return that Connor Connell of Skreen and Drumard priest is dead.

We return that John Kelly of Templeboy and Killmackshalgan is dead and one Scott is in his stead.

We return that Thady Higgins of Emlaghfad priest is dead and Peter Kelly is in his stead.

We return that Edmund Keanaghan [is] officiating in Drumard parish.

John Hart whose place of abode we know not, Dominick Mulroon of what place we know not, and one Mullany and one Rutlidge whose places of abode we know not, Michael McDonagh also in Curran Barrony, have been educated abroad beyond sea also James ffeehay of Coola.

We return that Edward Crofton of Longford Esq. and his son John Crofton, Morgan McDonogh, Cormuck Ballagh McDonogh, Teige Conner of Knockadoe, Neale O'Donnell, ffrancis McKea, Harrill Gallagher, William King, Christopher Verdon, Theobald Verdon, Nickolas Dowdall, ffrancis Connell, Luke fflin, Patrick ffrench, Miles McDonnell, John Maly, Naughton O'Donnell and Thomas Martin being summoned have refused to appear and take the Oath.

We return that Edmund Roolane and Thomas Gara are regulars in this County.

As no troops were forthcoming for the service, the mayor on 29th October had to repeat in answer to Dawson:

The Papists are so numerous in this county that without the assistance of the army there is no good to be done.

The following year there is evidence that the hunt for priests was more successful.

Sligo August 14 1715.

Sir—Charles Fallon a papist refused to take the Oath of Abjuration as did three others of the better sort of Papists for which I sent them to his Majesty's Gaol as I did also another papist who harboured two non juring popish priests and had one of them in bed in her house when we went to search.

JOHN DE BURKE, Provost.

The Sligo magistrates pursued their work indefatigably.

Order for Mr. Trotter to prosecute Popish Priests at Sligo Summer Assizes 1719.

Bolton.

We herewith send you two letters from Robert Browne together with his Examination taken before the Justices of Assize for the last Connaught Circuit about Popish Priests who are come into this kingdom from Foreign Parts and we do hereby direct and require you to repair to Sligo and take care that the said Persons be proceeded against according to law this Summer Assizes at Sligo. Given this 10 August 1719. E. WEBSTER.

To Thomas Trotter Esq. His Majesties Solr. in Criminal Causes.

Henceforward until 1744 we learn little of the priests of Sligo. In that year in accordance with instructions from Secretary Lyons, two detailed returns were made.

Co. of Sligo to witt.

The Examination of Ambrose Gilligan a Reputed Friar of the Abbey of Sligoe taken the 9 day of March 1743-4.

Michael Gara	Archbishop of Tuam.
Bleak	Bishop of Achonry
Patrick Henican	Parish Priest of Ballasadare Dean and Vicar Generall to the said Bishop Bleak
John Brett	Bishop of Kellala Diocese (now at Rome); heard and believes Bryan Kelly of the parish of Castleconner is constituted the said Bishop Brett's Dean and Vicar Generall.
Michael McDonogh	Bishop of Kellmore and one Ryly his Vicar Generall.
Gallagher	Bishop of Rapho and one O'Donnell is his Vicar General.
Patrick French	Bishop of Elphin and one Patrick Gaffney his Vicar Generall and Bryan Gerroghty his Dean.
Patrick Birne	Bishop of Ardagh, Thomas McDermotroe is his Vicar Generall and has a parish in Tyrowhill.
James Gallagher	Bishop of Kildare Diocese.
Stephen Egan	Bishop of the Diocese of Meath.
McMahon	Primate of All Ireland.

Fryars.

Sligoe Dominican Order	Michael Hart, Prior, Michael Killhawly, sub prior, John Killdea, Peter Clowan, Daniel Roghneen, James Feighny, James Scanlan, John Hurry of Lyny, Martin Garroghy of Dartry, Phelim Creaffin.

Creevylea near Fryerstown, Francis Order	John McKeown, Guardian, James McKeon Patrick Early otherwise Mulvoghery, Edmund O'Hara, Phelim McMorrey.
Ballindone Dominican Order	Dominick Hartt, Prior, Con O'Rorke, Peter Connor.
Ballymote Franciscan Order	Michael Conian, Guardian, Francis McDonogh, Anthony, McDonogh, Francis Davey.
Knockmore Carbinetts (*sic*) Order	Henry Prendergast, Prior and Parish priest of Killoran in the barony of Lyny, —. Hart, James Nangle.
Banida Augustine Order	John O'Hara, Prior.
Ardnaree Augustine Order	John Conmey, Roger Flanily, Thomas Brennan.
Co. Mayo Rafraun Dominican Order	Thomas Flanigan, Prior, Michael Burk, Dominick Phillbin and parish priest of Adderfold, —. Brehony, Francis Healy, Michael McDermott.
Moyne Franciscan Order	Thomas Burk, Miles Burk, Cormuck Monnilly, Michael McCormick.

Co. of Sligo to witt.

At an Enquiry held at Sligo the 9 day of March 1743-4 before Gilbert King High Sheriff of the County by virtue of a mandate directed to him by his Grace the Lord Lieutenant and Councell on the oaths of the undernamed [twenty six Protestants.]

We the above named Jurors do find the persons hereafter undernamed do exercise Popish Ecclesiastical Jurisdiction in this County and we do not find that any more or any others do exercise the same to our knowledge in this County. That is to say—

No. 1. Patrick French Titular Bishop of Elphin, his place of abode is at Cloonaquin in the County of Roscommon.

2. Michael McDonagh reputed Bishop of Killmore and Ardagh.

3. James Fieghney
4. Ambrose Gilligan
5. Michael Killhawly
6. James Scanlan.
7. John Kildea

All belonging to the Friery in the town of Sligoe.

8. Michael McDonogh
9. Mathew Coner

priests in the union of St. John's in Sligoe.

10. Thomas Brennan, Frier at Cloghermore in said union.
11. David Flynn priest of the parishes of Killm^{c}Ower and Killaspickbrown in said union.
12. Peter Clewane priest of the parish of Killvarnet in the barony of Lyny.
13. John Henry frier in said parish.
14. Patrick Henecan Vicar Generall of Achonry, his abode is in the parish of Ballysodare.

No. 15. Edward Henecan Dean of Killala his abode is in the parish of Dromard.
16. Mathew Fahy late of Sligo now a frier at Swords in Co. Dublin.
17. —. McCoye a frier at Achonry.
18. Henry Brett a frier in the parish of Killmorgan.
19. James Banaghan parish priest of the parishes of Killross and Ballysinighan.
20. John McKeown
21. Thady McMurra } friers in the parish of Drumcliffe.
22. Phelim Knofin.
23. Murtagh Hara parish priest in the parish of Achonry.
24. Patrick Keregan vicar of Achonry.
25. Peter Swiney priest in the parish of Templeboy, his abode in Carrickduffe.
26. John Bolan of Kellmacshalgan.
27. Roger Hart parish priest of Esky and Killglass.
28. John Conmy frier and Prior in the parish of Esky.
29. Bryan Kelly parish priest of Castleconner and is vicar of Killala.
30. John Feenane Priest of the half parish of Kellinormoy.

The earliest account of proceedings against priests in the County Leitrim is as follows :

Carrick April 2 1706.

Sir—As for the Romish Clergy of this County, when registered there was twenty four and butt one since dead. And nine I must confess did on the first summons appear. There are yett fourteen of them abroad and uppon Threatening their securetyes one of them are captulateing. Three of these who on first summons came in plead great poverty and are very pressing to have Bayle taken of them to come inn whenever called for, but this wee have not Listened too. Butt desires to know what wee shall doe in that case or what distinction wee shall make between those who uppon the first summons came inn and those who are not yett come inn. Butt two Gentlemen took the Oath, Major Shanly and one Mr. Gallagher. GEORGE ST. GEORGE.

Until the troubles of 1711-2, six years later, we can obtain no further information. At this period there was in the county a thorough going magistrate named Ormsby who in a series of letters kept the executive well posted. Some extracts may be given :

Tobervady 23 Feby. 1711-2.

Sir—'Tis now past doubt that the great mischief which befalls us is committed by the Common people of the county and that they are sett to work by the Priests who are raised by Emissaries

sent from France. And this is the opinion of those Roman Catholicks who desire to live in peace and have hitherto suffered most by this unnatural and barbarous insurrection and therefore I humbly offer it to the consideration of the Government whether it may not be proper immediately to seize and commit all the priests in the kingdom who are all registered and bound by Recognizance to appeare whenever called upon.

GILBERT ORMSBY.

As government did not immediately respond, Ormsby in a letter of 7th March suggested an alternative, viz. :—

To prohibit publick masses for it is there they meet and concert their villany. And other Discoverers affirm that severall of the cattle houghers confessed their wickedness to the Priests and received absolution from them which I hope will be a sufficient reason for the Government to ridd the nation of that dangerous sett of men. I wish our assizes were on.

Instructions were now sent down to make a clean sweep of the priests. The high sheriff acquainted Secretary Dawson with the result :

Porte 7 March 1711-2.

Sir—Warrants have been issued but I cannot find that any of the said priests are yett taken. But this day one priest in the neighbourhood of Carricke surrendered himself to me and I committed him. I thought proper to communicate to you that you be pleased to lay itt before his Excellency that if any favour may be allowed to such as voluntarily surrender themselves I should be glad to receive his Excellency's commands. I take this course as the nearest Justice of the Peace is Mr. Gore fifteen miles off. M. CUNNINGHAM, Sheriff.

The failure to get in the priests appears to have raised Ormsby to a white heat.

Tobervady 12 Mar 1711-2.

Sir—Mr. Roger Kelly a very honest papist and a fosterer to the Blakes whose sheep were houghed has been eminently serviceable. I hope the Government will take notice of it and rather that I find these barbarities dispose him to renounce his scurvy religion for I reckon that all our unhappiness and misfortunes proceed from the Priests to whom the greater men communicate their designs and they stirr up the common people to execute them. Nor do I believe we shall ever be safe or quiet till a wolf's head and a priest's be at the same rate. Such a time I remember and then there was not a quieter populace in the world. GILBERT ORMSBY.

On 20th March a proclamation was made for all priests to surrender themselves within a week. After that date search to be made by all magistrates for such as abscond. A lively letter from Ormsby later in the year gives a glimpse of the procedure adopted.

Tobervady October 13 1712.

Sir—We summoned the principal Popish inhabitants of the parish of Athleague on the 7th instant and they being sworn acknowledged that they had heard mass on Michaelmass duly celebrated by ffather Philip Higgins registered priest of the said parish. They refused the Oath of Abjuration but one whose name is Edmund Corr who alledges he had taken it before. Whereupon we asked him whether since he had not confessed it as a sin to his priest. By his evasive answers we judge he did confess it and received absolution, and it is a general report that all the Papists who formerly took the Oath have done in like manner. Which occasions in us the melancholy reflection of living among men whom neither oath can bind nor justice and lenity oblige to fidelity. The priests and regular clergy are all absconded so that we cant take them. We are informed of multitudes lately come into the kingdom and their Superiors turning out the Registered priests as dull, inactive sort of people and placeing others who will be more subserviant to their purpose.

GILBERT ORMSBY.

In a magisterial report a few days subsequent the melancholy note was changed to a more cheery one.

Sirs—In obedience to the late proclamation we summoned Carbery Kelly a registered popish priest for the parish of Ballinakill to take the Oath of Abjuration. He refused to appeare, the summons being left in his chamber and is a person generally supposed to be qualifyed for conferring holy orders and exercising ecclesiasticall jurisdiction though as yett we could not find any legal evidence. But on all occasions he absconds though between times of searching for him he is daring to a fault and depends on the shelter he has under the roof of Mr. Feogh Burke at Glinsk.

We summoned also Roger Moore registered popish priest of the parish of Kilbegnet who did not appeare but is removed from his usuall place of abode. He is an ignorant though we can't say an innocent man of his persuasion though not as dangerous as the other.

We think it our duty to inform you we summoned Sir John Burke of Milford, Baronet, and his sons Henry and Richard to take the Oath of Abjuration. But these gentlemen have refused to appeare before us. We also left a summons at the dwelling house of Teig Burke but for the greate part of the year he usually

dwells with the Earl of Clanrickard and was at this time at his Lordship's house and so was Mr. John Burke one other son of Sir John's at the Lord Dillons for which reason we issued no warrants. WILLIAM CAULFIELD.
17 October 1712. GILBERT ORMSBY.

All informations, summons, warrants notwithstanding, the priests were still at large. Great hopes were formed of the County Sessions held in the beginning of November, but the united attempt was no more successful than the efforts of the individual magistrates.

Carrick November 11 1712.

We summoned all the popish Clergymen that are registered for and reside in this County to appear and take the Oath, but not one priest appeared at our Quarter Sessions. We adjourned the Sessions and issued out fresh summons to them and also to severall Popish gentlemen intending thereby to convict the clergy by their evidence but not one Clergyman appeared and so we repeated it a third time but all to no purpose. We continued our Sessions still by adjournment but believe it will be to little purpose, the Clergy having generally withdrawn themselves from their usuall place of abode and either quit the County or at least abscond so that they cannot be brought to justice.

Next month it was the same.

Carrick 5 December 1712.

Sir—We can make nothing of this matter of the priests yet. I am going to Abbey Boyle tomorrow but they still abscond and keep out of the way notwithstanding our utmost endeavours to bring them in. I am certain they do not say mass in their usuall places. GEORGE ST. GEORGE.

We have some interesting particulars of the year 1714. In reply to the enquiry made by government, the high sheriff wrote:

Carrick 10 June 1714.

Sir—As to any children sent beyond the seas they can hear of none only this day there was an intimation that one James O'Neill a Colonel in the late war has sent his son abroad. As to regulars and others of the Romish clergy the Justices of the Peace have had no information excepting once about five years agoe some examinations were given in to me by one Ralph Barter which I delivered to the Clerk of the Crown but could not gett the persons taken. I find the Magistrates very willing to do all in their power but we lye under great difficulties for the major part of the inhabitants being papists the protestants living amongst them are afraid to inform. THOMAS CROFTON.

The sheriff concluded by asking the assistance of the military in sufficient numbers. He adds in a subsequent letter:

I do not find one of the priests are taken, I know indeed it is very difficult, the much greater part of the county being papists, to take any of the priests or other ecclesiastical persons and the few protestants in it are afraid of meddling with them. Had I my health in any tolerable degree I would have endeavoured seizing them in person but truly cannot.

At a sessions next month the following presentment was made:

Co. Leitrim.

At a Special sessions of the Peace held for the said County at Carrick Drumrusk the 27 day of July 1714.

Whereas the Grand Jury then and there impanelled and sworn present that Bryan Egan and Dennis Connan both registered priests of the Romish religion in the parish of Killtoghork and that Laurence Keon a popish priest registered for the parish of Killinurnery now removed to the upper end of Killtoghork parish and that Bryan Donagher, Registered popish priest but not for any parish goes by the name of Dr. Donagher deemed to be a moderator over the popish clergy in the dioceses of Killmore and Ardagh and that Peter Duigenan a registered popish priest in the parish of Anaghduff and that Dominick McGany a registered popish priest in the parish of Anaghduff has removed himself into the parish of Mohill and that Owen McHugh a registered popish priest in the parish of Mohill and that Connor McLoughlin a popish priest registered for the parish of Cloonclare has since removed himself to the parish of Oughteragh and that Phillip Reyley a registered popish priest for the parish of Carrigallen and that Thomas Brady a registered popish priest for the parish of Drumreilly and that Felix McKeone a registered popish priest for the parish of Killtubrid and that Dermot fflannan a registered popish priest of the parish of ffenagh and that Thomas fflyn a registered popish priest of the parish of Cloone and that Denis Gaffney and Hugh Cannon both registered popish priests for the parish of Cloone and that ffrancis Moran a ffranciscan ffyer in the parish of Cloone and Mohill and that Peter Reynolds a ffranciscan ffryer in and about the parish of Mohill and that Oughy Duigenan a ffranciscan ffryer in the parishes of ffeenagh and Killtubret and that Owen O'Rorke alias Donell alias Robin the Juggler a ffranciscan ffryer in the parish of Oughteragh and Drumreilly and that Miles Keene a ffranciscan fryer in the parish of Anaghduff and that Cormac Shanley a ffranciscan fryer of the parish of Oughteragh and that ffarrell Rodaghan a ffranciscan ffryer in the parish of ffeenagh and that another Rodaghan a young priest newly ordained whose Christian name they know not that frequents the parish

of ffeenagh and that James McTernan a young priest lately ordained in and about the parish of Cloone, do all frequently say mass and have not taken the Oath, and that James McHugh a popish schoolmaster keeps school in Kesheary in the parish of Killtubrid and that Robert Molloy a papist teaches school in the parish of Drumshauboe and one Edward Nagle a papist teaches school in Castlefore in ffeenagh parish and that one Richard fflanagan a papist keeps school in the parish of Drumreilly all which papish schoolmasters have not taken the Oath of Abjuration as by law required and that one Gerald Cullen a ffranciscan ffryer exercises his fryers function in and about the County Leitrim and that one Patrick fflyn of Mohill is a young popish priest not registered and celebrates mass in the parish of Mohill and that one ffrancis Keane a young popish priest in the parish of Killtubrid is not registered and says mass in said parish and that one John Duigenan a young priest not registered frequently celebrates mass in the parish of ffeenagh and that one Bernard Rodaghan a young priest lately ordained says mass in the parish of ffeenagh and elsewhere, all which said priests and ffryers doe frequently say mass and exercise their priestly functions not having taken the Oath of Abjuration but act in publick defyance and contempt of the laws of this kingdom.

These are therefore in her Majesty's name requiring you and every of you on sight hereof to apprehend the bodyes of all the before mentioned and them or any of them so apprehended to bring before some of her Majesties Justices of the Peace to be dealt with according to law.

The return for 1744 sent in by the high sheriff, Arthur Ellis, and dated 26th March, is as follows:

Co. of Leitrim to wit.

A List of the Titular Popish Bishops, Deans, Vicars Generall, exercising ecclesiasticall jurisdiction in the said County, also of the ffryars following to witt.

No Archbishopp.

Michael McDonagh otherwise Clark, of Abbey street in the Citty of Dublin Titular Pope [*sic*] of the Diocese of Kilmore.

Thomas Burne of Carrickedmond in the County of Longford Titular Bishopp of the Diocese of Ardagh.

Owen McPharlon otherwise Bartley of Munterkenny Titular Deane of the Diocese of Killmore.

James Martin near Temport reputed Popish Vicar Generall of the Diocese of Kilmore.

Thomas McDermott Roe Titular Dean of Ardagh living at Ballyfarnan in the County of Roscommon.

Patrick Early generally residing at the house of Edward Magauran. A reputed fryar of the ffranciscan order.

Dominick ffannen. Generally residing at Drumlahan in the parish of ffeenagh.
James McGarry Generally residing in the parish of Killtubrid.
Farrell Rudaghan Generally residing in the parish of ffeenagh.
Daniel McTeir, Generally residing in the parish of Carrigallen.
Michael Reynolds late of Drumdo.
Charles Reynolds late of Cavan.
Hugh Brady, Generally resides at Edgeworthstown in the County of Longford.
John Kean of Gubnaconry in the parish of Cloone and James McTernan near Ballyknockan in the said parish coadjutors to the parish priest of said parish.
Phillip Brady a reputed travelling parish priest.

ARTH. ELLIS, Sheriff.

From the remaining county of the western province, Roscommon, there is quite a considerable body of evidence. The earliest letter has reference to a Catholic custom of almost prehistoric origin—pilgrimages to holy wells. These pilgrimages tended to foster devotion to saints and Catholic superstition generally. Besides they brought together great numbers of papists to the terror of all good subjects. Hence an important section of the code forbade all such meetings under severe penalties.

2 ANNE, C. 6, S. 27.

Whereas the superstitions of popery are greatly increased and upheld by the pretended sanctity of places especially of a place called St. Patrick's Purgatory in the county of Donegal, and of wells to which pilgrimages are made by vast numbers at certain seasons. All such meetings and assemblies shall be adjudged riots and unlawful assemblies and punishable as such in all persons meeting at such places.
All persons assembling at St. Patrick's Purgatory or any well or place contrary to this act and shall be convict thereof shall forfeit ten shillings, the moiety thereof to be paid to such persons who shall give information, the other moiety to the poor of the parish where such offender shall be convicted.
In default to pay the said sums such offender shall be committed to some constable or inferior officer where the offence was committed, to be publickly whipped.
All persons who at such assemblies build booths, sell ale, victuals etc. and shall be convict thereof, to be fined twenty shillings.
All magistrates are required to demolish all crosses, pictures and inscriptions that are anywhere publickly set up and are the occasion of any popish superstitions.

The following letter is interesting on another account, that the writer was uncle of the poet, Goldsmith:

Elphin 22 Aug. 1704.

My Lord—We have a well in the neighbourhood of Elphin commonly called St. Marys Well, to which vast numbers out of severall distant places lately came and they are to meet there again sometime in September next. This is taken no notice of here which occasions this complaint to your Lordship. We live among a people who are very apt upon the least encouragement to grow insolent; they ought therefore to be under the habitual awe of government and not suffered to trample upon so late an Act purposely provided against their superstitious and riotous meetings. EDWARD GOLDSMITH.

Another no less dangerous practice was the assembling of papists at mass in close proximity to barracks.

Sir—I received yours but yesterday; it was mislaid here which occasioned it. As for the mass house, it was up before the barrack was built. I showd it Brigadier Langston who advised me to acquaint the Government with it. I have heard of no papists coming armed there, nor any disorders committed, neither am I afraid of them though there is a thousand of them meet constantly att mass who if they had any evill designe being so very near may surprise us either in Church or at the barrack. But if the Government thinks their so neare neighbourhood not inconvenient I am no way afraid of them. ALEX. MONTGOMERY.

Roscommon Oct. 8 1702.

There are very full particulars of the proceedings against the priests in 1712. On 1st March the high sheriff, John Kelly, wrote:

I have been as active as possible since the first order in having the popish priests taken up and shall by next post observe to you what number will be in my custody with the Gaolers certificate.

[Reply]

Dublin Castle 4 March 1711-2.

Sir—I received your letter of the 1st instant, and have commended it to the Lords Justices and Council. Their Excellencies and Lordships are well pleased with the account you give of your intention to execute their orders in committing to Gaole the popish priests and they expect by tomorrow's post to have an account how many and what preists you have committed pursuant to their orders. J. DAWSON.

This account duly arrived.

Roscommon 5 March 1711-2.

Sir—This is to acquaint his Excellency and the Lords Justices that in obedience to their commands in your letter of the 26th ultimo, I have on Tuesday the 4th instant secured and delivered into the Gaoler's custody the undernamed popish priests. Their names and what parishes are as follows:

Hugh Dermott priest of the parish of Ardcarna.
Charles Cahan priest of the parish of Killiroly.
William Keogh priest of the parish of Roscommon.
Edmund Keely priest of the parish of ffuerty.
Edmund Conry priest of the parish of Killbride.
Thady McGreah priest of the parish of Lisonuffy.
Patrick Duigenan priest of the parish of Rumlin and Killtrustan.
John Egan priest of the parish of Clunfinlagh.

These are all with one Terence Rory priest of the parish of Killeglasse who has been for severall years past confyned to his bedd that I could by this time secure, the county being large and the popish priests living very remote one from another. As for Rory, being by noe meanes able to come to Gaole by reason of his infirmity, he gave sufficient security for his good behaviour. I hope in my next to be able to give you an account of having in my Custody a good part of the rest, having given most of the Justices of the Peace of this County Notice of the Government's pleasure I am always ready to receive and execute.

The enclosed [missing] is the Gaoler's certificate of his having received into his custody the above named popish priests. Yours

To Jos. Dawson at her Maties Castle of Dublin. JOHN KELLY.

The high sheriff encouraged, kept to his work.

Tulsk 9 March 1711-2.

Sir—The most part of my time has been disposed of in the Queen's business in using my best endeavours to have such of the popish priests as are not yet in custody apprehended. JOHN KELLY.

But after all, it appears that the priests were merely decoyed.

The humble petition of the Romish Clergy imprisoned in Roscommon 12 March 1711.

To their Excellencies the Lords Justices of Ireland.

Humbly Sheweth—That your Petitioners as soon as they heard of the order for confyning the Clergy of this Province on account of those villians that houghed the cattle, did without expecting to be sent for come themselves to the High Sheriff by whom they were delivered to the Gaoler of the said County in whose hands they continue to their great trouble and charge, most of them if not all being so poor and at so great a distance from such friends as would in charity relieve them, that they cannot

long subsist of themselves. They further show that no cattle were houghed in the parts where they were registered and that their Protestant neighbours can give a very favourable account of their entire submission to the Government. May it please your Excellencies to order them to be set at liberty or to order them subsistence during their confinement.

No notice appears to have been taken of the petition as no order or reference is endorsed on it. Meanwhile the high sheriff kept the executive informed. On 15th March he wrote:

Though I have taken all care both by my own and my bailiffs search to find out and bring in such of the popish priests as did not come in, yet to no effect they having absconded themselves. Therefore I can give you no further account than by my last.

When the Roscommon assizes were held at the end of March the priests apparently for want of evidence were not put forward, and on 5th April Kelly wrote to Dawson that the judges put them under bail until the next assizes. Whether they were tried at the summer assizes does not appear; it is clear however that the magisterial activity continued unabated through the year.

Co. Roscommon.

The Examination of Charles Feeny, Constable of the Parish of ffuerty taken before Sir Edward Crofton Bart. Sir Arthur Shaen Bart. Gilbert Ormsby and William Caulfield Esquires four of her Majesties Justices of the Peace for the said County.

This Examinate being duly sworn saith that he was present on or about the 28 of February last when ffather Edmund Kelly Parish Priest of the Parish of Fuerty celebrated mass according to the usage and custom of the Church of Rome at a place called Kinmully in the Parish aforesaid. And further saith that one Richard Corr of the said Parish about three weeks before being very sicke and indisposed and he sent for the said Edmund Kelly to attend him in his sickness and the day he sent for him happening to be on a Sunday he was personally present when ffather Kelly a regular ffryer did officiate and celebrate mass according to the use of the Church of Rome at and in the place and parish afforesaid in the stead of the said Father Edmund Kelly. And saith he doth believe in his conscience that the said Father Edmund never did take the Oath of Abjuration as required by an Act entitled An Act for Explaining and Amending an Act for the Preventing the Further Growth of Popery and further saith that on or about the latter end of the month of May last past he went to the Buriall of one Daniell Rowen who dyed in the parish of Ballinakill in the County of Galway and

as the Corps of the said Daniell Rowen was carried to be buried he there and then saw three fryers one of whom they call ffather Burke and further saith that on or about a month since at a place called Aghagower in the parish of ffuerty and County of Roscommon he saw one ffather Francis Hurly a fryer and alsoe saith that within these six months last past he has often heard and was present when the said ffather Hurly celebrated mass according to the usage of the Church of Rome in the parish of ffuerty. He saith that he heard that great numbers of fryers have within these six or seven months last past come into this kingdom and saith that he has seen more of those sort of clergymen within that time than he either saw or heard of in five years before. And saith that they were all clad in good apparell and very well mounted with horses, and further saith that according to the custom of their order they went up and down the country into the severall villages thereof and begged from the Inhabitants to the great oppression of the Poor from whom they gett sheep, money and corn. Everybody giving according to their abilities. And saith that many of the Inhabitants murmured at their coming amongst them and further saith that it was the common discourse amongst the Popish inhabitants of the Country where this Examinate lives that the old abbies in this kingdom were to be rebuilt and the fryers restored to them and that was the reason that such numbers of them flock into this kingdom as have done within these six or eight months last past. He saith that Father Edmund Kelly's place of abode is at Aghagower in the parish of fluerty and county aforesaid. This Examinat further saith that he was personally present on or about the month of June last when one ffather phillip Higgins officiated and celebrated mass according to the usage of the Church of Rome at a place called Araghty in the Parish of Athleague and County of Roscommon and further saith that he believes the said ffather Phillip was never registered for the said Parish, and alsoe believes in his conscience he never took the Oath of Abjuration.

Jurat coram nobis Octob. 21 1712.

GILBERT ORMSBY, EDWARD CROFTON,
ARTHUR SHAEN, W. CAULFIELD.

A month later another parish constable gave similar evidence. As at this period such an office was not tenable by Catholics, it would seem that these persons won the confidence of Catholics and got admitted into the congregation at mass by masquerading as Catholics.

An Information made before us at Boyle the 20th of November 1712 upon Oath by John Griffin Constable of Tyboheen parish that sometime in September last one Bryan McDermot who

goes by the name of John Griffin, one Bryan McAlleghany who goes by the name of Mr. Lyon, one Bryan Comn and one James McKillcumy all Regular popish clergy came into this County.

Sir—The above Information was given in this day which we believe to be our duty to have laid before their Excellencies the Lords Justices and desire you will be pleased to lay it before them.

Boyle Nov. 20 1712. CHR. COOTE, JOHN FFRENCH.

As in the rest of the country there were untiring efforts throughout the years 1714 onwards to get rid of the priests. On 12th June William Lyster and fourteen other magistrates of Roscommon addressed their Excellencies :

We take leave to lay before your Lordships that we have heretofore committed severall popish priests to Gaole who have appeared at the General Assizes and been there discharged without any further prosecution or orders, and that persons have been bound over to prosecute some popish priests who could not be apprehended, and upon which recognizances we have not heard of any further prosecution.

Towards the close of the year in answer to a query whether there were any priests in his gaol the high sheriff, William Lyster, wrote, 27th October :

There was one Bryan a popish priest in this Gaol who is become a Protestant of the Church of England.

For the year 1715 we find the following :

The Humble Answer of the Grand Jury of the County of Roscommon at a General Assizes held the 25 March 1715.

It appears to us that Francis Dillon popish priest of Killredoon parish is dead as also Edmund Kelly of the parish of ffuerty, Bryan Doyle of Killaloone parish, Daniel Concannon of Canneo parish, Owen Connor of Killroneen parish, William Hanley of Cloonyormason parish, Daniel Gannon of Crew parish, Edmund Gormally of Clontoskert and Killevan parishes, James Muldoon of Baslisk parish, Thady Mullrehine Kelltullagh parish, Terence Nary of the parish of Kellglass succeeded by one Gebolan, in the parish of ffuerty succeeded one Bartholomew Croghan popish priest to Edmund Kelly deceased, Terence Garmon made a priest since the Registry.

We know of no priests in the County of Roscommon who have taken the Oath though they were summoned, but we will use our utmost endeavours to putt the law in Execution against them and the regulars.

And so they did. One case attracted widespread attention. Towards the end of October a friar named Kilkenny was taken.

But in bringing him to jail the constables were set upon and beaten and the prisoner rescued. The sequel we learn from the Council Minute Books.

9 November 1715. Informations relating to the rescue of one James Kilkenny a Franciscan ffryer, read. Ordered that Mr. Attorney General prepare a proclamation promising a reward for apprehending said Kilkenny or any persons concerned in the Rescue.

11 November. Proclamation signed for apprehending James Kilkenny, Patrick Beakin, Una McManus, Margaret Tristan.

As the warrant for the transportation of Kilkenny is not discoverable in the Entry Books, it would appear he was never again captured. His rescuers however were not so fortunate.

To their Excellencies etc. the humble petition of Christopher Marshall, Samuel Belshier, Edward Jones, Thomas Griffiths, Martin Wilcox and John Clifford.

Sheweth—That one James Kilkenny a Franciscan fryar having been rescued as he was going to the Gaole of Roscommon, the Lords Justices issued a Proclamation 7 November 1715 and offered £100 reward for the apprehension of Kilkenny and £20 to apprehend Patrick Baken of Carroward, Una McManus and Margaret Tristan or other person concerned in the rescue. And whereas your petitioners by virtue of a warrant from the Lord St. George, in the dead time of the night went and took Patrick Baken and Mary Baken who were at the Summer Roscommon Assizes 1716 tried and the said Mary Bakan was found guilty of said rescue and fined £20. May it please your Excellencies etc.

The only memorial of the troublous year 1744 in Roscommon is the following:

Tulsk March 14 1743-4.

Sir—Within the limits of the Corporation of Tulsk, the place is mostly waste save a few poor Cabbins and one Inn all inhabited by Papists. The Corporation lies in the parishes of Kilcooly and Ragala of which parishes one Bryan O'Connor is the official popish priest and as I am credibly informed his place of residence is att one Mr. Daniel Kelly's of Carrigins. I am likewise informed that joining the limits of this Corporation att Foxborough there lives one Patrick Frinch who is said to be the Titular Bishop of Elfin, and am assured the said Frinch had lately intelligence of some disturbance intended him and thereupon left his house and this County about the 23 of February last.

JAMES BARLONG, Portrieve.

To John Lyons Esq. at H.M. Castle of Dublin.

The reader has now before him in great part the documents to be found among the Public Records illustrative of the working of the statutes against priests in the seventeenth and eighteenth centuries. While, as has been so often pointed out, the evidence is fragmentary and incomplete, an honest study of it can hardly fail to leave on the mind the impression that the governments of the time bent themselves with all their strength to the destruction of the Catholic church in this country. Though the law was enforced in varying degrees at different times and places, no doubt appears to have been entertained of its ultimate effectiveness for the purpose. Indeed more than once the end seemed in sight. During the period of the Popish Plot and again in the earlier years of the eighteenth century the hierarchy was uprooted, ecclesiastical organization reduced to anarchy, the most active and efficient of the clergy scattered or driven into exile. Those who are of opinion that in the actual condition of the country the penal code never was and never could have been enforced, can hardly have considered the large measure of success which it attained. But just as martial law had failed in the preceding century, the civil law eventually proved unequal to the task. To attempt to trace the reasons would be profitless speculation. Froude as a disciple of Carlyle in the doctrine of force, was convinced that if the English had given the Protestant party in Ireland more solid and sustained support, the country would long since have been as Protestant as Yorkshire. Others are of opinion that the strength of Catholicism in this country, lay in its close identification with the national sentiment. Others again have seen in the preservation of the faith the direct, visible hand of providence. But however views may vary as to the possible issue of the code, its actual results are admitted by all. The Catholic church emerged from the struggle strengthened and invigorated. So far from being shaken, it had struck its roots broader and deeper into the conscience and affections of the people. And in the event two notable consequences followed. The close association of priests and people in common trials and common misfortunes gave to the church a marked popular and democratic complexion. In other countries the priesthood has been largely identified with the conservative or even reactionary elements in the

state. Here on the contrary the priests have been responsive to every flux of public opinion ; they have led rather than followed popular movements, and as a class have ever been found on the side of change, nay even at times, of revolution. But on the other hand if the clergy have been thus susceptible to popular influences, their interaction upon their flocks has been equally unmistakable. Owing to causes historical, political, and social, no people probably in Europe had less feeling for public order, less sense of public justice, less appreciation of the benefits of law. Yet strange to say this bias of habit and character never in the smallest degree impaired their moral sense. The spirit of reverence, respect for parental authority, subjection to higher though unseen power, all this remained and formed the basis of the most beautiful domestic and social virtues. In conditions little above the brute beasts, amid every circumstance of material degradation, they never lost the vision of things which appear not, the substance of things to be hoped for. And this is due under God to the men who shared their lot and ate with them the bread of affliction.

APPENDIX I.

THE following document was omitted at p. 77 through an oversight. It is important as the first act in the drama which ended in Tyburn—the martyrdom of Oliver Plunkett. At the inception of the Popish Plot by Oates and Tonge there was mention only of Peter Talbot and Archbishop Lynch as Irish conspirators. But a year later more fuel had to be procured for the Protestant fire. The primate had to be worked into the story and so the following narrative was concocted by Hetherington Shaftesbury's employe :

Information.

That on or about May or June last Colonell Fitzpatrick delivered to the Pope's Internuncio at Brussells a letter or paper signed by four Roman Catholick bishops, two of whom were Plunkett Archbishop of Armagh and Tyrrell Bishop of Clogher recommending the said Fitzpatrick as the only person fitt to be intrusted generall of an army for establishing the Roman Catholick religion in Ireland under the French sovereignty, which paper after its coming to the Internuncio's hands was seen by severall clergy and laymen known to Father Daly, Procurator, Father O'Neill, Father Connery, Father McChane, Guardian of the Irish Franciscans and Father McMahoun alias Mathews Prior of the Dominicans in Louvain among whom 'tis also said that the said Fitzpatrick carried such another instrument into France when he first arrived from Ireland whence he went into Flanders with resolutions to settle at Brussells but he was forced to remove from thence by his Royal Highness [the Duke of York] commands which he obeyed without much regret and murmuring.

APPENDIX II.

BESIDES the bills against priests which became law the Irish Parliament was engaged in a whole series of others which for one cause or other failed to pass. These may still be seen among the parliamentary papers in the Record Office. One of them is thus described by Lecky: "In 1723 when the alarm caused by Atterbury's plot was at its height the Irish House of Commons at the express invitation of the Lord Lieutenant proceeded to pass a new Bill against unregistered priests. It was entitled 'A Bill for explaining and amending the Acts to prevent the Growth of Popery and for strengthening the Protestant Interest in Ireland,' and the heads of the Bill after passing through both Houses were sent over to England with the warm recommendation of the Irish Privy Council. The Bill as it issued from the Commons is still preserved and it is no exaggeration to say that it deserves to rank with the most infamous edicts in the whole history of persecution. . . . . The Heads of the Bill have as far as I know never been printed though they well deserve to be." The following is the full text of the parts dealing with the clergy:

HEADS OF A BILL FOR EXPLAINING AND AMENDING THE ACTS TO PREVENT THE GROWTH OF POPERY AND FOR THE STRENGTHENING THE PROTESTANT INTEREST IN THIS KINGDOM.

WHEREAS the several Laws heretofore Made against Papists and to prevent the Growth of Popery have been often Evaded and in many Cases Proved Ineffectual and Great Number of Popish Priests and Friars have of late come into this kingdom to Disturb the Peace thereof And not only many Popish Arch Bishops, Bishops and Others of the Popish Clergy as well Regular as Secular Priests who have not been registered and taken the Oath of Abjuration have continued in this kingdom contrary to Law but also great numbers of Popish clergy have of late years come into this kingdom And have Endeavoured to Raise and Spirit up Rebellions and Commotions by Enlisting and Procuring Divers of His Maiesty's Subjects to enlist themselves in the service of the Pretender and by Procuring the persons so enlisted to be embodyed in Companyes and Regiments and

transported into Parts beyond the seas in Order to form an Army to compass their said Traitorous Purposes to the Great Danger of His Majesty's Government and the Protestant Interest of this kingdom AND WHEREAS severall Justices of the Peace and other Magistrates have neglected to put the Laws made against the Growth of Popery in Execution. FOR REMEDY whereof we pray it may be enacted that all and every Popish Priest and Priests and other Person or Persons exercising the office or function of a Popish Priest within this kingdom not being registered pursuant to an Act made in the Second year of the reign of her late Majesty Queen Ann Intitled An Act for registering the Popish clergy, shall depart out of this kingdom before the 25th day of March in the year of Our Lord 1724 and that all and every such Popish Priest and Priests and other Person and Persons exercising the office or function of a Popish Priest who shall be found in this kingdom after the said 25th day of March in the year of Our Lord 1724 being thereof convict shall be deemed and adjudged guilty of High Treason other than and except Every Popish Priest who before the 14th day of November 1723 took the Oath of Abjuration in any of his Majesty's Four Courts Dublin or at the Assizes or at the General Quarter Sessions of the Peace or before two or more Justices of the Peace in this kingdom and who shall before the said 25 day of March 1724 file and prove his or their Certificate or Certificates in one of his Majesty's Four Courts of Dublin or at the next Quarter Sessions of his or their having taken the said Oath of Abjuration. AND WHEREAS by an Act made in the 9th year of the Reign of his late Majesty King William (of glorious memory) Intitled An Act for banishing all Papists exercising any Ecclesiastical jurisdiction and all regulars of the Popish clergy out of this kingdom It is enacted that all Popish archbishops, bishops, vicars general, deans, Jesuits, monks, friars and all other regular popish clergy and all papists exercising any ecclesiastical jurisdiction shall depart out of this kingdom before the first day of May 1698 under the pains and penalties in the said Act mentioned And that notwithstanding several Arch Bishops, Bishops, Vicars General, Deans, Jesuits, Monks, Fryers and other Regular popish clergymen or Papists exercising ecclesiastical jurisdiction are now in this kingdom we pray it may be enacted that every Archbishop, Bishop, Vicar General, Dean, Jesuit, Monk, Fryer or other Regular popish clergyman exercising ecclesiastical jurisdiction or who at any time since the first day of May in the year of Our Lord 1698 exercised ecclesiastical jurisdiction in this kingdom shall depart out of this kingdom before the said 25th day of March 1724 And that all and every Archbishop, Bishop, Vicar General, Dean, Jesuit, Monk, Fryer or other regular popish clergyman exercising ecclesiastical jurisdiction who shall after the said 25th day of March 1724

be found in this kingdom, being thereof convict, shall for such offence be deemed and adjudged to be guilty of High Treason And every person who after the said 25th day of March 1724 shall knowingly and willingly, Receive, Relieve, Comfort, Aid, Maintain, Conceal or Harbour any such Arch Bishop, Bishop, Vicar General, Dean, Jesuit, Monk, Fryer or other regular clergyman exercising popish jurisdiction, or Popish Priest not registered or other person or persons exercising the Office and Function of a popish priest knowing him to be an Arch Bishop, Bishop, Vicar General, Dean, Jesuit, Monk, Fryer or regular clergyman or popish priest other than Excepted as aforesaid shall for such offence be adjudged a Felon without benefit of clergy And suffer Death and Lose and Forfeit as in Case of one Attainted of Felony. And we pray it may be further enacted that whosoever shall make any Discovery to any Chief Magistrate Justice of the Peace or any other Person or Persons whatsoever of any Popish Archbishop, Bishop, Vicar-General, Dean, Jesuit, Monk, Fryer, regular clergyman exercising popish jurisdiction or popish priest other than Excepted as aforesaid being in this kingdom after the said 25 day of March 1724 or of any person or persons knowingly and willingly Receiving, Relieving, Comforting, Aiding, Maintaining, Concealing or Harbouring any such Archbishop etc. after the said 25 day of March 1724 Whereby and by virtue of such Discovery any such Archbishop etc. or any other person or persons concealing or harbouring any other or either of them as aforesaid shall or may be apprehended, taken and convicted by virtue of this Act that thereupon the Conviction of any of the said Archbishops . . . . popish priests the Discoverer shall receive as a Reward the sum of one hundred pounds And the person or persons who shall prosecute such Discovery to a Conviction the further sum of one hundred pounds as a Reward to him or them for such prosecution. And every person who shall be convicted of knowingly or willingly concealing or harbouring any of the said Archbishops . . . . popish priests the Discoverer shall receive as a Reward the sum of fifty pounds and the person or persons who shall prosecute any such Discovery to a Conviction the further sum of fifty pounds as a Reward to him or them for such prosecution which said severall sums of Money shall in twenty one days after such Conviction be paid by the Collector of the District where such Prosecution and Conviction shall be had without any fee for the same to the person or persons so prosecuting and convicting the said Offender or Offenders He she or they tendering a Certificate to the said Collector under the hand or hands of the Judges or Justices before whom such Offender or Offenders shall be convicted certifying the conviction of such Offender or Offenders and alsoe that such Offender or Offenders was or were taken by the person or persons claiming the said Reward. AND WHEREAS it is found

by experience that nothing helps to corrupt the principles of youth in their Religion and Loyalty as their Education under Popish Tutors or Schoolmasters. FOR REMEDY whereof we pray it may be enacted that if any Papist shall after the 25th day of March in the year of Our Lord 1724 be convicted of being a Popish Tutor or Schoolmaster or a Popish Tutor in any private family instructing a youth or youths every such Person so convicted shall suffer as a Felon without benefit of Clergy And every person who shall after the 25th day of March 1724 knowingly and willingly keep and entertain such popish Tutor in his family shall upon Lawfull Conviction be guilty of Felony without Benefit of Clergy. Provided always that this Act or anything therein contained shall not extend to make any corruption of blood. AND WHEREAS notwithstanding severall persons summoned pursuant to the Laws now in force have appeared before the Justices of the Peace and on examination confessed that they had lately heard Mass yet by reason of the Acts and Contrivances of the Priests in frequently drawing curtains between them and their congregation at the time of saying Mass No Discovery could be made of the person who then celebrated Mass that it might appear whether he was duly qualified to say such Mass FOR REMEDY whereof we pray it may be enacted that no popish priest shall celebrate mass in any Popish chapple or Mass house with the door shutt but that the same shall be open at the time of the celebration of such Mass And that the person or persons who officiates or officiate shall appear Barefaced and in Public view during the time he performs such Office And in case proof shall be made before two or more Justices of the Peace of the County when such Mass is or shall be celebrated by the Oath of two or more witnesses that Mass was celebrated in such Chapple or Mass house with the doors shutt or that the person or persons who officiated there were concealed and did not appear openly and in public view at the time of celebrating such Mass that then the said Justices of the Peace shall by warrant under their hands and seals respectively cause the said Chapple or Mass house to be forthwith shutt up and not to be opened again for a Popish Chapple or Mass house And all and every person or persons who shall be present at such celebration of Mass shall upon proof made thereof before one or more Justice or Justices of the Peace of the said County by the Oath of one or more witness or witnesses forfeit the sum of forty shillings to be levyed by Distress and Sale of the Offenders goods by warrant under the hands and seals of such Justice or Justices respectively one moiety thereof to be disposed to the use of the Informer the other moiety to the use of the Poor of the Parish where such offence is or shall be committed And in case of inability to pay the same such person or persons shall be sent to the House of Correction for every time not exceeding the

space of ten days And in order to prevent the continuation of the popish superstition and more effectually to suppress all popish nunnerys erected or to be erected in this kingdom we pray it may be further enacted that no papist or reputed papist shall from and after the said 25th day of March 1724 keep any Boarding school or place for the Reception of Women or receive any Woman or Women to be dieted and educated under the pain of forfeiting for every such offence the sum of one hundred pounds sterling to be received by any person who shall sue for the same in any of his Majesty's Courts of Record in Dublin by Bill, Plaint, or Information the one moiety to the use of his Majesty, his heirs and successors the other moiety to the use of such person who shall sue for the same as aforesaid AND WHEREAS all methods for preventing popish priests from marrying Protestants have proved ineffectual we pray it may be enacted that from and after the first day of ffebruary 1723[4] any marriage solemnized or pretended to be solemnized by a popish priest or reputed popish priest where one or both the persons intended to be married is or are Protestants shall not be taken or adjudged a marriage in Law AND FORASMUCH as great mischiefs have happened to the Public by escapes of non juring popish priests by the means of the corruption of sub sheriffs and Gaolers who have suffered severall priests to escape and officiate Publickly abroad and others to officiate as Publickly in Prisons We pray it may be enacted that if any Gaoler or other person who by law has the actual custody of any popish Arch Bishop, Bishop, friar, priest or other popish ecclesiastical person shall knowingly and willingly permit or suffer any such popish Arch Bishop, Bishop, friar, priest or other ecclesiastical person to officiate as such in prison Such Gaoler or other person having the actual custody of such Arch Bishop etc. being thereof lawfully convicted at the Assizes or at the General Quarter Sessions of the Peace in the County of the City of Dublin and the County of Dublin shall be fined by the Judges of Assize or Justices at the said General Quarter Sessions of the Peace in any sum not exceeding the sum of one hundred pounds or stand in the pillory at the discretion of the Judges or Justices and be rendered incapable of ever serving in any office. AND WHEREAS by an Act made in the eight year of the reign of her said late Majesty Queen Anne Intitled An Act for Explaining and Amending an Act Intitled An Act to Prevent the further Growth of Popery. It is among other things enacted For the more effectual discovery of such popish regular clergymen and popish priests be it further enacted that it shall and may be lawful for any two justices of the peace whereof one to be of the quorum by warrants under their hands and seals directed to any constable within their county to summons any popish person of the age of sixteen years or upwards to appear before them within three days so

that the said place of appearance be not above five miles from the habitation of said person ; and if the said person so summoned shall neglect or refuse to appear or shall refuse to give his testimony upon oath where or when he heard or was present at the celebration of the popish mass, and who celebrated the same and who and what persons were present at the celebration thereof and likewise for and touching the being, residence and abode of any popish regular clergyman or any popish secular priest as aforesaid and also fully answer to all such matters, circumstances and things touching such popish persons offending contrary to this and the former act ; such person so refusing or neglecting to appear shall be committed by the said justices to the common gaol there to remain without bail for the space of twelve months unless he or she shall pay down a sum not exceeding twenty pounds ; provided that every examination to be given in pursuance of this act shall be for such of the said offences only as were committed within thirty days before such examination AND WHEREAS by reason of the shortness of the time between the comittal of the Fact and the information to be given many offenders have escaped punishment. We pray it may be enacted that the time limited for giving information in the cases mentioned in the said Act shall be and is hereby extended to three Calendar Months. . . . . .

. . . . . .

BRUEN WORTHINGTON }
ISAAC AMBROSE } Cler. Parlim.

Appendix III.

SUCH public opinion as existed in Ireland during the early eighteenth century manifested itself not in the news sheets but in pamphlets. Hence a search through contemporary pamphlets as the Halliday Collection in the Royal Irish Academy or the Thorpe, in the National Library, affords interesting evidence of the views of the dominant classes upon the policy of persecution. One of these pamphlets may be here selected as a sample. It is entitled "The Ax laid to the Root or Reasons humbly offered for putting the Popish Clergy in Ireland under some better Regulations. 2nd Edition Dublin 1749."

Popish Priests swarm over the whole kingdom at present and the Resort to Mass houses is as publick and unrestrained as it is to our Churches.

The Titular Popish Bishops residing in the kingdom are more numerous than the Bishops of the Established Church, holding their visitations and exercising their jurisdiction with little caution or restraint.

The religious orders of Monks, Friars, Jesuits and Nuns have their nests in many places and are perfectly well known in the vicinity.

To remedy this intolerable state of things the following proposals are made :—

1. That it is agreeable to reason that papists giving good security for their fidelity to Government should be tolerated.
2. That a sufficient number of priests be allowed.
3. That all such priests be registered under such terms and conditions as an honest papist can consistently with his religion and conscience submit to ; for otherwise the best will be excluded and the worst retained.
4. That every popish priest at the time of being registered shall show his letters of Orders, take the Oath of Allegiance and the following :

I *A.B.* do from my heart abhorr, detest and abjure as impious and heretical that damnable doctrine that etc. and do declare on my conscience that neither the pope nor anything upon earth, can absolve me from my Oath of Fidelity to his Majesty King George the Second and his successors and that I will accept of no such absolution.

5. That upon the death or removal of such priest another may succeed under the same qualifications.
6. That every registered priest shall wear some particular decent habit to be approved by the Government and Council and if he shall be found above one measured mile from the house of his usual residence without the same he shall for the first offence forfeit and pay to the informer five shillings and ten shillings for every other offence. (It will be very useful to have every popish priest known and distinguished, for want of which he will do mischief and pervert people under the disguise of a lay habit).
7. The Number of priests to be registered shall be limited by Counties at the discretion of the Government and no more admitted to be registered but upon Oath made of a vacancy.
8. Every county to be divided into particular districts consisting of one or more parishes and one priest registered for each district who shall officiate in no other district unless during a vacancy or unless the neighbouring priest should be disabled by sickness or infirmities.
9. That at the time of registration such priest to be registered shall bring two papists of known and sufficient ability to be bound in a bond of £100 for his good and quiet behaviour during his residence.
10. That after the 25 of March 1751 every popish priest who is not registered and every person officiating as such by performing any clerical office or ceremonies that are peculiar to the Church of Rome either in publick or in private shall for the first offence be fined in the sum of £50 and be imprisoned for the space of one year and for the second offence be fined in the sum of £100 and imprisoned during life.
11. That one Bishop of the Romish Communion shall be allowed by the Government to reside and exercise his function in each of the three provinces of Leinster, Munster and Connaught under certain regulations and large security and to be registered as the priests are, taking the Oaths as above.

That every such Bishop shall confer Holy Orders upon none but natives of the kingdom of Ireland and shall be himself a native. That he shall confer Orders at four stated times of the year only, to be fixed by law. And that every candidate shall three days at least before his Ordination repair to some Justice of the county where such Candidate resides and there take and subscribe the following Oath, annexing his name with the place of his residence :

I *A.B.* do swear in the presence of God who will judge me the last Day that since the first day of May last past I have not received any education or instruction in any popish University, College, Seminary or School without this kingdom of Ireland and that I will not hereafter study or take any degree in any such University, College, Seminary or School, so help me God.

Such Justice of the Peace to be required to certify under his hand and seal the names of all such Candidates together with the Oath taken by them and give a copy thereof to one of the Candidates who shall be a sufficient authority to the Bishop for ordaining them and without which he shall not confer orders. The original to be returned to the Quarter Sessions that it may remain on record.

A penalty to be inflicted on the Bishop who shall ordain without such Certificate.

Such Justice of the Peace shall not certify until the Candidate who requests it shall bring to him the name and place of the Registered Priest whose vacancy he is nominated to supply certified by the Minister and one or both of the Church wardens of the parish where the vacancy happened. (This precaution is necessary in order to prevent the needless multiplication of Idle popish priests who are a heavy burthen on the poor people).

12. That two Seminaries be tolerated under proper regulations for the instruction of such young men as are intended for popish Orders; the masters or tutors to be natives of Ireland and that after a certain time no person shall be ordained who had received foreign education.

13. That upon the vacancy of a registered Bishop the two remaining be allowed to consecrate another who shall be a native of Ireland and that has been a Registered priest.

14. That every person who shall perform any office or function peculiar to a popish Bishop who shall not be registered to that end shall for his first offence be fined in the sum of £500 and be imprisoned for the space of one year and until he has paid such fine; and for the second offence be fined in the sum of £1000 and be imprisoned for life, which will be a punishment more dreadful to them than transportation.

15. That every papist of any religious order being convicted thereof shall be fined in the sum of £100 and be imprisoned for life. . . . . .

The true question is whether it will not be better to have three popish bishops who shall be amenable to Government and put under strict ties than forty dispersed through the kingdom in disguise to work all mischief in their power behind the curtain. Whether it will not be safer to let in a thousand priests at the public gate and mark them as they enter than to suffer five times that number to steal in unknown at the Postern and by that means swarm over the whole nation.

Appendix IV.

IN 1709 it will be remembered an act was passed in the Irish parliament compelling the priests who were registered to take the Oath of Abjuration under the severest penalties. Of the one thousand and eighty priests whose names appeared in the government register only thirty-seven according to De Burgo took the oath. Dr. Nary a still better authority states in his "Case of the Catholics of Ireland" that the actual number was thirty-three. One fourth of the number belonged to Westmeath where nine out of the thirty-five registered for the county, conformed to the law. These were :—

Rev. James Dalton, P.P., Ballymacallin.
,, Philip Tyrrell, P.P., Mullingar.
,, Charles Keilly, P.P., Taghmon.
,, Michael Dillon, P.P., Ballybrickoge.
,, Hugh McDonogh, P.P.
,, William Cullen, P.P., Upper Castletown.
,, Thomas Dillon, P.P., Lacken.
,, John Pierse, P.P., Templeoran.
,, Anthony Coughlan, P.P., Castlelost.

The feelings of their non-juring brethren found expression in doggerel verse, always an effective weapon in Ireland. The nicknames borne by some are added to the names.

A Dialogue between Nine Jurors and ffather James Dillon att Mrs. White's house before they entered the Court to [take] the oath of Abjuration.

Solomon

Fa. James Dalton When learned authors hold it safe to swear
what mind reserves, what need we further fear ?
But this doctrine some Doctors doe support,
therefore to swear let us make haste to Court.

Fa. James Dillon What condemned authors doe perversely teach,
it's sin to practice, greater sin to preach.
But such as thought it safe to take this oath
Were all condemned by Church and Council both.

Dr. Saul—
Fa. Terril

What they condemn to practice is just and fitt.
And what they do not, pray why must we omit.
But never condemned was Mental Reservation,
therefore, on with the oath of Abjuration.

Fa. James Dillon

This way of swearing Scripture does forbid
As Namure Synode likewise Lorraign did.
Read the quotations and you'll find in brief
Mental Reservation a condemned thief.

Saul

What Namure Synode says and with Lorraigne
what quoted Scripture I can soon explain ;
they say man ought his candid mind to show
to his soft friend but never to his foe.

Fa. James Dillon

Who knows but in this fair explanation
you may make up a mental Reservation.
If Scripture too can use this, who can
perceive the truth from either God or man ?

Saul

Hear me, good Sir, and you'll plainly find
I don't reserve my oath unto my mind
I swear the Prince by law no right to these
three kingdoms hath because his right doth cease.

Fa. James Dillon

That law 's no law which Scripture doth gainsay.
His right to Cæsar Christ doth command to pay
What he commands to give, your laws denys
therefore who sayth no right in Cæsar lyes ?

Saul

The right your Cæsar had by Law is void,
his property and title both destroyed,
then if I swear that Prince noe right to have
the law from guilt will my good conscience save.

Fa. James Dillon

Well said ! good Doctor, tell us, pray be kind
in what author did you this doctrine find
if Law will have you swear a Bull is a bear
a Doctor an Ass and what not, you will swear.

Goderlaham—
Fa. Keily

The oath is false and what is more severe
that 'gainst my will yet willingly must swear,
this contradicting Pill if I denye
to forraigne countries certainly must flye.

Fa. James Dillon

If Pagans acted such infernall laws
and force such oaths for to support their cause
would the Apostles whom we ought to follow
think your Pills so indigestive, swallow ?

Absolom—
Fa. Michael Dillon

Absolom says for a finer stock
of gratitude, it's purely for his flock,
his love of them and their Paternall care
made him forswear himself at Mulingare.

Fa. James Dillon

Your life for them and that which need requires
You are to give it when God desires
What if you think he'd have you for their sake
to damm your soul by swearing, you mistake.

Gafford—
Hugh McDonogh

Now spake Gafford inspired with Kidough's grace,
Sir Toby's doctrine and with Esop's face,
Who takes an oath tho' false against his will
is of his faith and one Religion still.

Fa. James Dillon

I find true friend if pressed you'll swear as well
noe Heaven above, and below no Hell,
nay what Religion will you blush to own,
since you adjure all Romans from the Throne.

Cattle Drover—
William Cullen

In haste he leaves his horned bullocks there;
Knows not for what, yet is resolved to swear
but if himself he perjures, leaves his fall
on Solomon the wise and Doctor Saul.

Fa. James Dillon

They'll have enough to answer for them both
and so will you if you should take this oath.
It would better keep your bullocks from the thief
than hang Religion on false Pastor's sleeve.

Sis in presenti—
Thomas Dillon

Ignoramus who scarcely Syntax saw
will not refuse to swear what is decreed by law
he'd rather live at home a purjured snake
than on bread across therefore the oath he'll take.

Bladerbuff—
Fa. J. Pierce

Bladerbuff in fine with a Rurall pipe
with stinking baggs and dammed noisy wipe
played on before whilst they were on the gigg
so merrily to dance the swearing jigg.

Fa. James Dillon

When Christ Apostles made of fishermen
the Divell a piper was amongst them then
Some danced on halters, some their members tore
some racked to death but none of them forswore.

Juryman—Coughlan

There was no other though it was by chance,
nor Coughlan either att this publique dance
but soon after they followed Darcy's way
to damn their soul leste the flock should stray.

Fa. James Dillon

If Christ in death didn't suffer on the Cross
the world had been att a perpetuall loss,
then Judas may excuse himself and say
to save his flock he did his Lord betray.

FINIS.

This curious piece is found among the parliamentary records (Bundle 73, No. 45) and seems to have been with other papers before the Boulter Commission. It is described "an attempt at Poetry termed a Dialogue and other addresses to Fr. J. Dalton and others ridiculing and depreciating them on their taking the Oath of Abjuration."

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